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Pt. 16



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INVESTIGATION OF ORGANIZED CRIME IN INTERSTATE COMMERCE

U.S. Congress, Senate
"

HEARINGS

BEFORE THE

SPECIAL COMMITTEE TO INVESTIGATE ORGANIZED CRIME IN INTERSTATE COMMERCE UNITED STATES SENATE EIGHTY-SECOND CONGRESS

FIRST SESSION

PURSUANT TO

S. Res. 202
(81st Congress)

AND

S. Res. 129
(82d Congress)

A RESOLUTION AUTHORIZING AN INVESTIGATION OF
ORGANIZED CRIME IN INTERSTATE COMMERCE

PART 16

FLORIDA

JUNE 21 AND 22, 1951

Printed for the use of the Special Committee To Investigate
Organized Crime in Interstate Commerce



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SPECIAL COMMITTEE TO INVESTIGATE ORGANIZED CRIME IN
INTERSTATE COMMERCE

OCT 16 1951

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¹ Written into record.

² On file with committee.

SCHEDULE OF EXHIBITS

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² On file with committee.



INVESTIGATION OF ORGANIZED CRIME IN INTERSTATE COMMERCE

THURSDAY, JUNE 21, 1951

UNITED STATES SENATE,
SPECIAL COMMITTEE TO INVESTIGATE
ORGANIZED CRIME IN INTERSTATE COMMERCE,
Miami, Fla.

The committee met, pursuant to call of the chairman, at 9:30 a. m., Thursday, June 21, 1951, in room 401, Dade County Courthouse, Miami, Fla., Senator Herbert R. O'Connor (chairman) presiding.

Present: Senator O'Connor.

Also present: Richard G. Moser, chief counsel; Downey Rice, associate counsel; George Martin, director of information; Fred V. Bruch, narcotics investigator; and T. S. Smith and Murray Jackson, investigators.

The CHAIRMAN. Ladies and gentlemen, we will now call the meeting to order. At the outset I should like to make this statement:

This committee is reconvening in Miami because developments since our last investigation regarding Florida make it imperative that we elicit further information. The Senate Crime Investigating Committee has already established the tentacles of interstate gangsterism, with particular emphasis on big-scale gambling, having extended into Florida from many parts of the country, with New York, Chicago, Cleveland, New Orleans, and other cities figuring prominently in the over-all picture.

The Accardo-Fischetti-Guzik syndicate in Chicago, which has carried over from the days when Al Capone was the ruling power there, and the Costello-Erickson, Adonis-Lansky combine in New York, both have been shown conclusively to have conducted extensive criminal operations in the Miami area. Numerous other racketeers of varying importance have been attracted to Florida and have become firmly entrenched in a number of communities in this State.

It might be well at this point to reemphasize that this is not a prosecuting body, and that it is limited in its functions to the gathering of facts and information to be used in the preparation and enactment of legislation and procedures which will curb, if not eliminate, the evils which have been shown to exist.

I am happy to be able to report that this committee has already taken action to secure remedial legislation. Since the committee submitted its third interim report on May 1 approximately a dozen measures have been introduced which have as their objective the tightening of Federal statutes which affect the operations of racketeering elements. This hearing, and others which are to follow, have the

broad intent of securing further facts to demonstrate the need for additional sound legislation.

Of particular concern at this time is the narcotics problem, and during the course of our stay here in Miami we expect that a portion of our inquiry will be directed toward the examination of conditions prevailing here.

Since the last visit to Miami and since the filing of the third interim report, this committee has been greatly heartened by the great awakening of interest in better law enforcement manifested by private citizens and organizations located in this State. We applaud this renewal of activity to exert proper control over the sinister operations of those choosing to live outside the law, and we exhort these groups to maintain constant vigilance against a return to the conditions of recent years, which were indeed appalling and which demonstrated greatly the national menace that crime has become. The Senate committee is fully aware of the belief that the general citizenry of Florida is law-abiding and of the highest order. It must not be thought that we reflect on the good name of this great State by concluding to have hearings here.

The committee also desires to reiterate what it has said a good many times before, namely, that local government is a matter completely in the hands of the people themselves. The Federal Government cannot intervene in the problems at the community level.

It is the intention of this committee to hold sessions in Miami today, tomorrow and possibly Saturday, depending on the progress we make in the examination of witnesses who have been subpoenaed. It may or may not be possible to hear all the witnesses whose attendance has been considered necessary by this committee. However, we do hope to be more fully informed about some phases of the Florida crime conditions which hitherto were not developed completely before we adjourn and return to Washington.

Because it was impossible for the committee to obtain the courtroom in the Federal building, we are deeply indebted to Judge George E. Holt of the circuit court who has so graciously made available this splendid courtroom for these hearings. On behalf of the committee I want to express my sincere appreciation for this courtesy. At this time I also want to express to Mr. J. Norton Peters, the superintendent of the building here in the Dade County Courthouse, and his fine staff, appreciation for the cooperation they have given us in rearranging the courtroom to provide suitable accommodations for all concerned.

In order to assure Judge Holt that proper decorum will prevail, I am now advising the spectators and everybody in fact that no smoking will be permitted, and that we will endeavor to conduct these proceedings with special regard for the dignity that can be expected of a senatorial proceeding.

I want to say a word of thanks at this time to the regular bailiffs of this court and to the deputy United States marshals under Al Gates who are collaborating in maintaining order.

It has been customary in the past for the committee to advise the newspaper photographers that the photographing of witnesses by use of flash bulbs will be permitted only at the time the witness is sworn in. Should a photographer decide that he wants a picture of the

witness during the time the witness is testifying, it will have to be on a time-exposure basis.

I am sure that if everybody adheres to the rules I have thus laid down, this hearing will move along expeditiously and with a minimum of confusion.

It is customary at this stage of the opening hearing to call for the production of books and records which have been subpoenaed for examination by the committee or its staff, and as chairman I would suggest to the counsel for the committee that we proceed at this time to call up these witnesses and ask them to turn over these records.

We will proceed, Mr. Rice, to that phase of our activities.

Mr. RICE. Is Reubin Clein in the room?

Mr. CLEIN. Here.

Mr. RICE. Will you be sworn, please?

The CHAIRMAN. Do you before Almighty God swear to tell the truth, the whole truth and nothing but the truth?

Mr. CLEIN. I do.

TESTIMONY OF REUBIN CLEIN, MIAMI, FLA.

Mr. RICE. You are Reubin Clein?

Mr. CLEIN. Yes.

Mr. RICE. Where do you live, Mr. Clein?

Mr. CLEIN. 1860 Southwest Fourth Street.

Mr. RICE. You are appearing here in response to a subpoena duces tecum?

Mr. CLEIN. That is right.

Mr. RICE. Have you brought with you certain books and records?

Mr. CLEIN. Well, I had them and arranged for them to be at the Federal Building this morning, and when I got there this morning I was informed that the hearings would be held here, so they are available.

Mr. RICE. Suppose you get—

Mr. CLEIN. I imagine you have what you want, copies of them. I don't have to have them to refresh my memory.

Mr. RICE. You say they are over at the Federal Building?

Mr. CLEIN. Yes, sir. I had them sent over there because I thought the hearing would be held there.

Mr. RICE. Suppose you make arrangements to get them over here, and when you have them over here let us know and we will call you.

Mr. CLEIN. I don't have to have them to refresh my memory.

Mr. RICE. The subpoena calls for the records, and we would like to introduce them.

Mr. CLEIN. As soon as I get them, can I go back on the stand.

Mr. RICE. We will do our best to accommodate you.

Mr. CLEIN. Thank you.

Mr. RICE. Is Mr. Raskin in the room?

Mr. RASKIN. Here.

The CHAIRMAN. Mr. Raskin, before Almighty God do you swear that the testimony you will give will be the truth, the whole truth, and nothing but the truth?

Mr. RASKIN. I do.

TESTIMONY OF JACK LOUIS RASKIN, PATROLMAN, MIAMI BEACH
(FLA.) POLICE DEPARTMENT

The CHAIRMAN. Have a chair.

Mr. RICE. What is your full name?

Mr. RASKIN. Jack Louis Raskin.

Mr. RICE. Is your name Jack or John?

Mr. RASKIN. Jack.

Mr. RICE. Is that your legal name?

Mr. RASKIN. Yes.

Mr. RICE. Where do you live, Mr. Raskin?

Mr. RASKIN. 934 Michigan Avenue, Miami Beach.

Mr. RICE. What is your occupation?

Mr. RASKIN. I am a patrolman of the city of Miami Beach.

Mr. RICE. Are you appearing here in response to a subpoena duces
tecum—

Mr. RASKIN. Yes, sir.

Mr. RICE. Calling for the production of certain records?

Mr. RASKIN. Yes, sir.

Mr. RICE. Do you have those with you?

Mr. RASKIN. I do.

Mr. RICE. May we see them?

Mr. RASKIN. Yes, sir.

Mr. RICE. What do you have there?

Mr. RASKIN. I have my income tax and I have some mortgages.
My wife was also subpoenaed for this hearing.

Mr. RICE. Yes, I understand she was. I take it that your records
are more or less joint.

Mr. RASKIN. Yes.

Mr. RICE. If you will produce these, we will be glad to excuse you.

Mr. RASKIN. But my wife was also—

Mr. RICE. I understand.

Mr. RASKIN. You can look at these.

Mr. RICE. What do you have in your hand there?

Mr. RASKIN. This is the subpoena.

Mr. RICE. You will be excused during the examination of your
records, and we will call you a little later.

Mr. RASKIN. Thank you.

Mr. RICE. Is Martin Accardo in the room?

Mr. ACCARDO. Yes.

Mr. RICE. Please come forward.

The CHAIRMAN. Will you be sworn, Mr. Accardo? Do you swear
before Almighty God that the testimony you will give will be the truth,
the whole truth, and nothing but the truth?

Mr. ACCARDO. Yes.

TESTIMONY OF MARTIN LEO ACCARDO, MIAMI BEACH, FLA.

The CHAIRMAN. Your full name, please.

Mr. ACCARDO. Martin Accardo.

The CHAIRMAN. And your address?

Mr. ACCARDO. Senator—

The CHAIRMAN. Just answer so we can identify you.

Mr. ACCARDO. I have a statement I would like to read.

The CHAIRMAN. Just so we may know who you are.

Mr. ACCARDO. I have a statement I would like to go down on the record.

The CHAIRMAN. What is your address?

Mr. ACCARDO. I have a statement that I would like——

The CHAIRMAN. Do you decline to give your address; "Yes" or "No"?

Mr. ACCARDO. I stand on my constitutional rights.

The CHAIRMAN. Answer the question whether you decline to give your address.

Mr. ACCARDO. I decline to answer the question——

The CHAIRMAN. All right, you decline.

Mr. ACCARDO. Upon the ground that the answer may tend to incriminate me.

The CHAIRMAN. Is the committee to understand that you refuse to answer all questions, even those pertaining to other people and not involving you?

Mr. ACCARDO. I decline to answer the question upon the ground that the answer may tend to incriminate me.

The CHAIRMAN. The committee is desirous of questioning you not with regard to your own activities but with regard to the activities of others. Are you prepared to answer the questions relating to others but not to yourself?

Mr. ACCARDO. I stand on my constitutional rights, and I decline to answer the question upon the ground that the answer may tend to incriminate me.

The CHAIRMAN. All right.

Mr. RICE. Where do you live?

Mr. ACCARDO. I decline to answer the question upon the ground that the answer may tend to incriminate me.

Mr. RICE. Are you reading from a piece of paper?

Mr. ACCARDO. A statement.

Mr. RICE. What does it say; what does the paper say? Let the record indicate that the witness does not answer the question.

Mr. ACCARDO. I stand upon my constitutional rights. I decline to answer the question upon the ground——

The CHAIRMAN. The committee directs you to answer.

Mr. ACCARDO. Upon the ground that the answer may tend to incriminate me.

The CHAIRMAN. The committee directs you to answer that question and also the other questions propounded to you by counsel.

Mr. MOSER. Have you heard the questions that have been directed to you; did you hear the questions that have been directed to you?

Mr. ACCARDO. I decline to answer the question upon the ground that the answer may tend to incriminate me.

Mr. RICE. With respect to the question about where your residence is, do you decline to answer on the ground that it may tend to incriminate you on a Federal or State offense—State crime or Federal crime?

Mr. ACCARDO. I decline to answer that question upon the ground that the answer may tend to incriminate me.

Mr. RICE. Yes, but do you refuse to answer whether it might incriminate you on a Federal or State offense? What is your answer?

Do you decline to answer that question, too? Do you understand the question? In your refusal to answer you are asserting your privilege that it might tend to incriminate you. Will it tend to incriminate you on a Federal or State offense—State crime or Federal crime?

Mr. ACCARDO. It might.

Mr. RICE. It might what?

Mr. ACCARDO. It might incriminate me.

Mr. RICE. Of what; it might tend to incriminate you of what, a Federal or State offense?

Mr. ACCARDO. Both.

Mr. RICE. It might tend to incriminate you of both?

Mr. ACCARDO. Yes.

Mr. RICE. This offense that you have in mind, is that a specific offense or something you think it might be?

Mr. ACCARDO. I decline to answer the question upon the ground that it may tend to incriminate me.

Mr. RICE. The offense that you have in mind for which you fear prosecution, did that occur more than 10 years ago?

Mr. ACCARDO. I decline to answer the question upon the ground that it might tend to incriminate me.

Mr. RICE. Did it occur less than 10 years ago?

Mr. ACCARDO. I decline to answer. I stand on my constitutional rights.

Mr. RICE. Was it more than 3 years ago?

Mr. ACCARDO. I decline to answer.

Mr. RICE. Now, sir, where were you born?

Mr. ACCARDO. I decline to answer that question upon the ground that the answer may tend to incriminate me.

Mr. RICE. How old are you?

Mr. ACCARDO. I decline to answer the question upon the ground that the answer may tend to incriminate me.

Mr. RICE. Do you have any information about organized crime in interstate commerce?

Mr. ACCARDO. I decline to answer.

Mr. RICE. Relating to other individuals?

Mr. ACCARDO. I decline to answer the question upon the ground that the answer may tend to incriminate me.

Mr. RICE. Have you read about any organized crime in interstate commerce in newspapers?

Mr. ACCARDO. I decline to answer the question.

Mr. RICE. Are you married, Mr. Accardo?

Mr. ACCARDO. I decline to answer the question.

Mr. RICE. On what ground?

Mr. ACCARDO. Upon the ground that the answer may tend to incriminate me.

The CHAIRMAN. The spectators will kindly refrain from any audible demonstration, please.

Mr. MOSER. May I ask a question? Do you know that the purpose of this committee is to investigate organized crime in interstate commerce? Do you have any knowledge of any facts regarding organized crime in interstate commerce, which facts would not incriminate you?

Mr. ACCARDO. I decline to answer the question on the ground that the answer may tend to incriminate me.

Mr. MOSER. Even though it would not incriminate you?

Mr. ACCARDO. I decline to answer.

The CHAIRMAN. The committee is definitely of the opinion that the witness is in contempt. He has shown a flagrant disregard of the rights and duties of the Senate committee. We will recommend to the full committee that the witness be cited for contempt.

You are excused.

Mr. RICE. Mr. John W. Muskoff?

Mr. MUSKOFF. Yes, sir.

TESTIMONY OF JOHN W. MUSKOFF, ATTORNEY, JACKSONVILLE, FLA.

The CHAIRMAN. Before Almighty God do you solemnly swear that the testimony you will give will be the truth, the whole truth, and nothing but the truth?

Mr. MUSKOFF. I do. I wish you would put a stop to that photographer pointing that thing at me. I do not think it is at all proper decorum in a courtroom.

The CHAIRMAN. The newspaper photographers will kindly refrain from taking any more pictures while the witness is being questioned.

Mr. MUSKOFF. He just took a picture and I would request that he be instructed to destroy it.

Mr. RICE. Will you state your name?

Mr. MUSKOFF. John W. Muskoff.

Mr. RICE. You are a member of the bar?

Mr. MUSKOFF. I am. Not of Dade County. I am from Jacksonville, Fla., but I have practiced law here. I wish you would quit pointing that thing at me. I don't think it is proper decorum for a courtroom.

The CHAIRMAN. We will take care of that. The newspaper photographers will kindly refrain from taking pictures of the witness while he is testifying.

Mr. MUSKOFF. I am trying to concentrate, and he just took a picture since you told him to kindly refrain. This gentleman here just took one.

The CHAIRMAN. We must insist on the photographers refraining from that during the questioning of the witness. Incidentally, you are just being called now for the production of records. You were subpoenaed to produce records.

Mr. MUSKOFF. I realize that, but I can't at all understand why I was subpoenaed. I am an attorney, and I would like a little explanation of that.

The CHAIRMAN. If you will just be a little patient, you will find out.

Mr. MUSKOFF. I wish you would have this picture destroyed that he took in violation of the committee's order.

The CHAIRMAN. Yes. The committee will kindly ask that the picture which was taken in violation of the Chair's order be not published.

Mr. RICE. Where is your office located?

Mr. MUSKOFF. 1105 Graham Building, Jacksonville, Fla.

Mr. RICE. You are appearing here in response to a subpoena?

Mr. MUSKOFF. I am.

Mr. RICE. Do you have a copy of the subpoena with you?

Mr. MUSKOFF. I do not have the subpoena. I have something that purports to be written words, with no signature or anything on it—it is not what I would call a subpoena.

Mr. RICE. For your information, the Senate rules call for the bringing of the original subpoena with you, and an inspection of the original with the copy.

Mr. MUSKOFF. I have a copy.

Mr. RICE. You have an unsigned copy?

Mr. MUSKOFF. Yes.

Mr. RICE. The subpoena asked you to bring with you all correspondence and records pertaining to any transactions and business dealings with James A. Sullivan, Mrs. Ethel Sullivan, of Miami, Fla., N. P. Cronin, of Aberdeen, Md., and David W. Hall, of Miami, Fla.

Mr. MUSKOFF. Yes.

Mr. RICE. Do you have those files?

Mr. MUSKOFF. I do not. In answer to that, I have had no business relationships with Mr. Cronin other than to address a letter to him, and have sent to him a deed that was executed here in my presence in Dade County by Mr. and Mrs. Sullivan. I made no copy of that deed. I retained none, which is usual in the State of Florida. You merely send on the deed. I have the letter here that I wrote Mr. Cronin at that time. As to Mr. and Mrs. Sullivan, the only business transactions I have had with them have been as a confidential adviser to Mr. and Mrs. Sullivan as a duly authorized practicing attorney in the State of Florida. I think that covers it.

Mr. RICE. I take it that you are refusing to comply?

Mr. MUSKOFF. I am not refusing to comply.

Mr. RICE. You are asserting your attorney-and-client relationship?

Mr. MUSKOFF. That is right, but I have no papers. I cannot comply. I have never done any business other than to be retained and to advise them. I have never written Mr. Sullivan a letter in my life. All of my correspondence—all of my contact with either he or Mrs. Sullivan—was either telephone or by direct contact. It never reached the stage where it took on a correspondence aspect.

Mr. RICE. Now, then, have you ever been retained by either Mrs. Sullivan or Mr. Sullivan, referring to Jimmy Sullivan, as counsel?

Mr. MUSKOFF. Indeed, yes.

Mr. RICE. When did that take place?

Mr. MUSKOFF. Possibly the first time I was ever retained by Mr. Sullivan was before or shortly after he took office. For many years I represented the Sheriffs' Association of the State of Florida, and as such have advised incoming sheriffs, outgoing sheriffs, and all kinds of sheriffs with reference to many facts or matters, and I couldn't recall just how many.

Mr. RICE. Was that on a fee basis that you represented the sheriff?

Mr. MUSKOFF. I work for money; yes.

Mr. RICE. I take it, from that, that if Mr. Sullivan went in office in 1944 you have from time to time been advising him since that time.

Mr. MUSKOFF. Only in occasional matters. For instance, maybe I erroneously consider myself an expert, but for 20 years or more I have come in contact with thousands of types of writs, questions of whether

or not in certain situations there would be any liability on the sheriff's bond and so forth.

Mr. RICE. Have you ever represented Sullivan for a fee?

Mr. MUSKOFF. For a fee?

Mr. RICE. Yes.

Mr. MUSKOFF. I am now.

Mr. RICE. Can you tell us the date of any of those occasions, approximately?

Mr. MUSKOFF. I would say approximately a year ago.

Mr. RICE. A year ago?

Mr. MUSKOFF. Yes.

Mr. RICE. That would be the first time that you represented Mr. and Mrs. Sullivan?

Mr. MUSKOFF. I cannot say that. I believe I drafted some paper or something for the daughter of Mrs. Sullivan with reference to going to school.

Mr. RICE. Have you handled any matters relating to real estate for them?

Mr. MUSKOFF. With one exception, I never did.

Mr. RICE. This one exception, I take it, was the Cronin matter?

Mr. MUSKOFF. The Cronin matter where I learned, as you learned, Mr. Rice, when you went to Maryland, that Mrs. Neu, who witnessed the deed—my understanding was that under the law of Maryland—I at one time came a little in contact with it—I had gone to George Washington University where we sometimes learned something—

Mr. RICE. Is that so?

Mr. MUSKOFF. It is my understanding of the law that the witness had to be present upon the signing of a deed, and when I ascertained that fact I consulted my clients and had a new deed executed and sent on, because I knew they wanted to do absolutely the honest and honorable thing, and I therefore thought it my duty as a lawyer to correct an improper deed, and that is the only transaction with reference to real estate that I have ever handled for them.

Mr. RICE. So long as we are going into that—we merely called for the production of records, but we will talk about that a little bit—what was the proposition up there that was presented to you by the Sullivans. Before you answer that, just as a matter of curiosity, why were you consulted in Jacksonville by Sullivan, who I believe is a resident of Dade County, some three or four hundred miles away?

Mr. MUSKOFF. I have known him; I have advised with him; he has talked with me. I advise with people in Washington and in the State of Washington. I have tried cases in California, and I don't think that one is necessarily limited to the practice of law with their home-town people.

Mr. RICE. Did they tell you why they came to you?

Mr. MUSKOFF. I was conceited enough to think they thought I knew enough to help them as a lawyer, and I assume that I was hired for the same reason the committee hired you.

Mr. RICE. All right, I will show you a photographic copy of a deed dated December 1, 1949, running from Ethel and Jimmy Sullivan, her husband—

Mr. MUSKOFF. You mean purporting to run?

Mr. RICE. I am reading from the deed, Mr. Muskoff.

Mr. MUSKOFF. Very well.

Mr. RICE. Running to Thomas A. Rice and Ruth M. Rice, his wife, purportedly signed by Ethel G. Sullivan and James Sullivan. Is that the deed about which you are referring?

Mr. MUSKOFF. If you will give me a moment, since my photographic copy is a little larger than yours, and I being not quite as young as you are. Let me get mine. I think it is the same deed. I imagine they are the same.

Mr. RICE. I think we can stipulate, sir, that this is a deed that was recorded in 1949, witnessed by Gladys F. Neu. Is that the witnessing to which you referred?

Mr. MUSKOFF. December 1, 1949. That is right.

Mr. RICE. What was your explanation about the reason for specifying a different date?

Mr. MUSKOFF. That was the advice that I gave my client as an attorney at law.

Mr. RICE. What was wrong with the deed?

Mr. MUSKOFF. I came to the legal conclusion by a process of mind supposed to be trained in a legal way that the deed was incorrect.

Mr. RICE. Why?

Mr. MUSKOFF. Among other things, I had learned, as you did when you preceded me to Maryland, that Gladys Neu had not been and could not have been in Florida on or about the 1st day of December 1949, and could not have witnessed the signatures that purported to be on that deed, as she was in Maryland in a hospital for a cancer operation at exactly that time; so she couldn't have. The Maryland lawyer there, a fellow by the name of Mr. Cronin, had apparently procured her signature. Now, this is supposition. I thought that it was wrong, and I still think it was wrong. I thought that the people who paid money for that property didn't have a sound deed, and I sent them on what I knew was a sound deed.

Mr. RICE. How did you happen to find out that it was wrong?

Mr. MUSKOFF. I was following you around. I thought my clients would be prosecuted, and I was attempting to defend my clients the best way I knew how.

Mr. RICE. When you found out that that deed was wrong, did you find that it was wrong in any other respect?

Mr. MUSKOFF. That is a legal matter that I do not care to discuss; it was confidential.

Mr. RICE. As the result of finding out that there was something wrong with that deed, you prepared another deed; did you?

Mr. MUSKOFF. I did.

Mr. RICE. I show you a second deed dated November 6, 1950, running from Ethel G. Sullivan and James Sullivan, her husband, to the same grantees.

Mr. MUSKOFF. Exactly the same deed.

Mr. RICE. To Thomas A. Rice and Ruth M. Rice, his wife?

Mr. MUSKOFF. Yes. That was prepared in my office under my direction, sir, by my secretary or clerk.

Mr. RICE. And these signatures here are witnessed by David W. Hall and Verta A. Smith?

Mr. MUSKOFF. I can vouch for the signatures.

Mr. RICE. You then wrote a letter to Mr. N. P. Cronin?

Mr. MUSKOFF. If you can term that a business transaction, that is the only paper that I have in mind that might be called a business transaction.

Mr. RICE. It is dated November 4, 1950, and it reads as follows:

It has come to my attention that the deed dated December 1, 1949, and recorded December 2, 1949, to Major Rice's home in Aberdeen, Md., was incorrectly executed. Under separate cover from Miami, Fla., I am having mailed to you a correct and proper deed, the correctness of which the writer is in a position to verify.

Please have this deed recorded immediately and send me a bill for the expense of recording, and I will forward you a check as soon as the bill is received.

Very truly yours,

JOHN W. MUSKOFF.

The CHAIRMAN. We will ask that the letter just read by Mr. Rice be designated "Exhibit No. 1."

Mr. RICE. I would like to offer at this time, Mr. Chairman, a photostatic copy of the deed dated December 1, 1949, as exhibit No. 2; and a photostatic copy of the deed dated November 6, 1950, as exhibit No. 3.

The CHAIRMAN. The documents will be admitted and marked by the reporter accordingly.

(Said instruments were marked "Exhibits No. 2, and 3," respectively, and appear in the appendix on pp. 219 and 221.)

Mr. MUSKOFF. Am I excused? I don't know whether I will be retained by my clients any longer after this questioning. It is a sure way to kill an attorney's earning power to call him as a witness.

Mr. RICE. I am certain that with your ability you will not have any difficulty finding other clients.

Mr. RICE. Mr. Daniel in the room?

The CHAIRMAN. Before Almighty God, do you solemnly swear that the testimony you will give will be the truth, the whole truth and nothing but the truth?

Mr. DANIEL. I do.

TESTIMONY OF ANGEL DANIEL, TAMPA, FLA.

Mr. RICE. What is your name?

Mr. DANIEL. Angel Daniel.

Mr. RICE. Where did you say you lived?

Mr. DANIEL. Tampa, Fla.

Mr. RICE. Where were you born?

Mr. DANIEL. Florida.

Mr. RICE. Whereabouts?

Mr. DANIEL. Key West.

Mr. RICE. When?

Mr. DANIEL. 1888.

Mr. RICE. What date?

Mr. DANIEL. 22nd of August.

Mr. RICE. You are appearing here in response to a subpoena?

Mr. DANIEL. That is right.

Mr. RICE. Do you have a copy of that with you?

Mr. DANIEL. Yes, sir.

Mr. RICE. Just what is your main business?

Mr. DANIEL. Most of my business is just a bolita peddler; I sell bolita sometimes, and I bank a little bolita.

Mr. RICE. Are these your records that you have brought with you?

Mr. DANIEL. Yes, sir.

Mr. RICE. I wonder if the bailiff will take care of these records. We will excuse you for the moment, Mr. Daniel.

Morton B. Wellings? I saw Mr. Wellings earlier this morning, and I believe he can be found downstairs.

The CHAIRMAN. All right. Call the next witness.

Mr. RICE. William H. Lee?

Mr. PRITCHARD. Mr. Chairman, I represent Mr. Lee. I am the attorney of Dade county.

The CHAIRMAN. What is your name?

Mr. PRITCHARD. James W. Pritchard.

The CHAIRMAN. We are pleased to have you, Mr. Pritchard.

Before Almighty God do you solemnly swear that the testimony you will give will be the truth, the whole truth, and nothing but the truth?

Mr. LEE. I do.

TESTIMONY OF WILLIAM H. LEE

Mr. RICE. Your name is William H. Lee?

Mr. LEE. Yes, sir.

Mr. RICE. You are employed where?

Mr. LEE. I am an associate of the Keyes Co.

Mr. RICE. You are appearing here in response to a subpoena calling for records?

Mr. LEE. Yes, sir.

Mr. RICE. We would like to ask you at this time if you will be good enough to obtain available records either in your custody of which you could obtain access to through the Keyes Co. relating to two pieces of property at 216 Northeast Twenty-eighth Street and 261 Southwest Thirtieth Street. I think you have those records.

Mr. LEE. Your Honor, I have been examined by the Kefauver committee, by the Internal Revenue Department, and by several private investigators connected with the Internal Revenue Department, and I wonder if those records would not be available to you through one of those departments. I don't have a copy of them, and it is a matter that I have testified so much about that it amounts to persecution.

Mr. RICE. You have no further records. Is that your position?

Mr. LEE. I submitted them all of the records I had.

Mr. RICE. When you submitted them, did you get them back?

Mr. LEE. I don't recall. My attorney may have gotten them back; not Mr. Pritchard but Mr. Roman.

Mr. PRITCHARD. I would like to make this statement. Mr. Lee does not have charge of the records of the Keyes Co.

Mr. RICE. I understand that, but I think he can obtain them.

Mr. PRITCHARD. If we can find those records, we will produce them.

Mr. RICE. We would like to see the records this afternoon, and at that time we will examine you further, or it may not be necessary to examine you further.

(Witness temporarily excused.)

TESTIMONY OF DANIEL P. SULLIVAN, OPERATING DIRECTOR,
CRIME COMMISSION OF GREATER MIAMI

The CHAIRMAN. Before Almighty God do you swear that the testimony you will give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. SULLIVAN. I do.

Mr. MOSER. Mr. Sullivan, please state your name.

Mr. SULLIVAN. Daniel P. Sullivan.

Mr. MOSER. And your address?

Mr. SULLIVAN. 460 North East One Hundred Third Street.

Mr. MOSER. What is your position?

Mr. SULLIVAN. I am operating director of the Crime Commission of Greater Miami.

Mr. MOSER. You have testified before this committee previously, have you not?

Mr. SULLIVAN. Yes, I did, last summer.

Mr. MOSER. Your organization was of great assistance to the committee in furnishing us with information regarding criminal activities here. Would you be so good as to tell us generally what has happened with regard to the situation in Florida since your last testimony. I ask you particularly with respect to what has happened to law-enforcement officers, for example, whose names have appeared in the testimony. I will ask you other questions as we go along.

Mr. SULLIVAN. I might just briefly say that as a result of the hearings that were held last May, June, and August, there were a number of grand-jury investigations conducted here in this county, in Broward County, the adjacent county to the north, Hillsborough County, and various other counties in the State.

The committee's hearings, I believe, acted more or less as an igniting spark which aroused a great deal of public concern on the breakdown of law enforcement and the influence of rackets down here. As the result of these various grand-jury investigations, there were a very large number of indictments returned involving rackets and racketeers in this county and other counties in the State of Florida. In this county alone there were racket indictments returned against over 70 people. However, the record of success has not been at all in keeping with the popular conception of what it should be.

However, we have been in a position where these indictments have been knocked out on technicalities of one type or another, here and in various parts of the State. In cases where there was a conviction, it was generally done on a guilty plea, and there was a nominal fine of some type. For instance, in Broward County, to the north, there were indictments returned against the major gambling operators, including the New York gang of Jake Lansky and Meyer Lansky and Vincent Alo. There were George Sadley and Claude Littoral and another number of local operators up there. These men were brought into court on Saturday afternoon. They all pleaded guilty and were fined \$1,000, the fines amounting to \$16,000. In other words, the public reacted properly, but I think I can properly say that the law enforcement officials, particularly the prosecutors, have not shown

energy and desire to in fact enforce the laws that the public wants enforced.

As the result of the investigations that were conducted, there were a number of sheriffs that were either indicted or removed from office. Among the sheriffs removed was Sheriff Culbreath of Tampa, Fla.; James Sullivan, the sheriff of this county; Alex Littlefield, of Daytona Beach; Walter Clark, of Broward County, who recently died; Frank M. Williams, of Polk County; and I believe one or two others.

Now, these sheriffs, Culbreath and Sullivan and Littlefield, were reinstated by the Governor. Williams was convicted of conspiracy to accept bribes.

MR. MOSER. You say three were reinstated by the Governor?

MR. SULLIVAN. Yes, sir.

MR. MOSER. Are they still in office?

MR. SULLIVAN. Culbreath is in office. Sullivan recently resigned, and Littlefield is still in office.

MR. MOSER. How long ago did Sullivan resign?

MR. SULLIVAN. Oh, just a few days ago.

MR. MOSER. After notice of this hearing had appeared in the press, I presume?

MR. SULLIVAN. I think after this hearing was announced.

MR. RICE. As a matter of fact, it was after he was subpoenaed, was it not, according to what you read in the newspapers?

MR. SULLIVAN. I don't know that. I think so, from what I read. The suspension of sheriffs in this State is covered in a portion of the State constitution. It places this power in the hands of the Governor. Article IV, section 15, places this power in the hands of the Governor. The article and section is entitled, "Suspension or Removal of An Officer." It says that all officers may be suspended by the Governor for malfeasance, misfeasance, neglect of duty, and incompetency, and the cause of suspension should be communicated to the officer suspended. It starts off with the first sentence, saying:

All officers that shall have been appointed or elected and that are not liable to impeachment may be suspended from office by the Governor for malfeasance, or misfeasance or neglect of duty in office, or for the commission of a felony, or for drunkenness or incompetency, and the cause of suspension shall be communicated to the officer suspended and to the senate at its next session.

In the case of Sullivan, of this county, he was suspended prior to the legislature convening in April, and at the time the legislature convened his name was not given to the senate by the Governor.

The Governor, of his own volition and own action, reinstated him on the grounds that he found no willful misconduct or willful neglect of duty.

The causes set out in the constitution are extremely broad. For instance, neglect of duty or incompetency, or misfeasance or malfeasance. To my mind, the general conception is so broad that it would give the Governor the same power as an employer would have over his employee. In other words, if he is an incompetent employee, not doing his job, he could let him go. There is no indication in the instrument that the cause for suspension can be sustained by a criminal charge. There is no indication that the man had to do anything criminally wrong or that you have to have a criminal indictment.

Mr. MOSER. Is it true that the sheriffs removed in this State since our last hearing are those that were actually indicted?

Mr. SULLIVAN. No. I think that Littlefield was removed, and then there was a hearing. I believe his is one of the few cases where there was a hearing held, and I don't think he was ever indicted.

Mr. MOSER. Mr. Sullivan, what is the law in Florida with regard to making contributions toward political campaigns by people engaged in gambling activities?

Mr. SULLIVAN. There are two different sections of the law. One is section 875.19 of the Florida Statutes, and refers to corporations; and the other one is more restricted, section 550.07, of the Florida Statutes, and that refers particularly to persons holding licenses, racing licenses, under the State law. The last section is shorter and it sets out explicitly:

It is unlawful for any licensee under this chapter (referring to the racing law) directly or indirectly to make any contribution whatsoever to any political party or candidate for any State, county, district, or municipal office, and the commission, upon proof of any contribution having been made, shall immediately revoke the permit of such licensee, and no such permit shall therefore be issued to such licensee.

This particular statute is not a criminal statute. The punishment of the violation is suspension of the racing license by the racing commission.

Mr. MOSER. In any such case such contributions are forbidden by law, are they not?

Mr. SULLIVAN. Yes. The other section is broader, section 875.19:

No foreign or nonresident corporation or corporation organized under the laws of the United States, doing business in this State, nor any domestic corporation, shall pay or contribute, or offer, consent, or agree to pay or contribute, directly or indirectly, any money, property, or thing of value to any political party, organization, committee, or individual for any political purpose whatsoever, or for the purpose of influencing legislation of any kind, or to promote or defeat the candidacy of any person for nomination, appointment, or election to any political office.

Any officer, employee, agent, or attorney or other representative of any corporation, acting for and on behalf of such corporation, who shall violate this section shall be punished upon conviction by a fine or not less than one thousand dollars nor more than ten thousand dollars, or by imprisonment in the state prison for a period of not less than two nor more than five years.

Mr. MOSER. Are candidates for office in this State required to file affidavits showing the amounts of their contributions?

Mr. SULLIVAN. Yes; they were, at least in 1948, and I think still are.

Mr. MOSER. In the 1948 gubernatorial election?

Mr. SULLIVAN. That is right.

Mr. MOSER. Do you know whether such a statement was filed by Gov. Fuller Warren?

Mr. SULLIVAN. Yes; there was one filed. There were three different statements.

Mr. MOSER. Do you have a photostatic copy or copies of them there?

Mr. SULLIVAN. Yes, I have a photostatic, certified copy, certified to by R. A. Gray, secretary of state, as of April 17, 1951.

Mr. MOSER. Will you tell us what the total amount of contributions shown by those papers is?

MR. SULLIVAN. The total amount of contributions, as given on this schedule, is \$8,825.

MR. MOSER. So the total amount reported by the Governor as having been contributed toward his campaign in 1948, was that figure of roughly \$8,000?

MR. SULLIVAN. That is right, according to this statement, as given by him under oath and notarized.

MR. MOSER. Notarized and under oath?

MR. SULLIVAN. Yes, sir.

MR. MOSER. Previous testimony given before this committee has indicated that there were substantial additional payments, amounts, contributed toward that campaign; is that right?

MR. SULLIVAN. That is right.

MR. MOSER. In summary, what were those?

MR. SULLIVAN. Well, I don't think any kind of a comprehensive record of the total amount of money that was raised in a campaign; however, in the case of three major contributors, Lou Wolfson admitted he gave \$154,000. C. V. Griffin admitted to matching the same amount of money. William H. Johnston admitted to \$100,000, which he raised and which he says a part of which came from his brother. Between these three there was an admitted amount of about \$408,000.

MR. MOSER. Mr. Griffin matched one of the others in that he gave \$150,000?

MR. SULLIVAN. \$154,000. Subsequently, in the testimony given before the Haley Florida Legislative Committee a month or so ago Mr. Griffin was subpoenaed and he testified that there was \$150,000 of this money, at least, that Governor Warren knew had been raised by him and his associates, that is, of the total amount of money that they contributed.

MR. MOSER. The Governor knew that \$150,000 was contributed when he filed his sworn affidavit that only approximately \$8,000 was contributed?

MR. SULLIVAN. This affidavit speaks for itself:

STATE OF FLORIDA,

County of Charlotte, ss:

Before me this day came the above-named candidate Fuller Warren to me personally known, who being by me sworn, deposes and says: "I do solemnly swear that the statement herewith filed embraces all money spent by me or in my behalf, with my knowledge and consent through or by any other person; that I have neither directly or indirectly arranged, encouraged, or connived at the spending of any money other than as shown in my said statement; that I have not repaid any money so spent, or claimed to have been so spent, and that I will not do so, and that I have not violated any of the provisions or the laws governing primary elections and the expenditure of funds in connection with a candidacy for a nomination in a primary, in letter or in spirit, so help me God."

FULLER WARREN.

Sworn to and subscribed before me this April 6, A. D. 1948.

[SEAL]

LOUVENIA M. SMITH,
Notary Public.

The CHAIRMAN. We will designate the affidavit just read as "Exhibit No. 4" for the record.

MR. MOSER. Mr. Sullivan, will you summarize briefly the amounts that have come from gambling interests as contributions to that campaign?

Mr. SULLIVAN. I don't think there is even any estimate of the total amount of money contributed by gamblers.

Mr. MOSER. But there are specific gamblers who have contributed money?

Mr. SULLIVAN. There are specific gamblers who have been identified as having contributed money. The records introduced in evidence at the hearings last summer show sums of money having been contributed by Abe Allenberg, Sammy Clark, Harry Levinson, now deceased, Ben Cohen, attorney for the S. & G. Syndicate, and other gamblers.

Mr. MOSER. How about William Johnston? There is evidence that Mr. Johnston contributed.

Mr. SULLIVAN. Yes.

Mr. MOSER. And William Johnston owns a gambling interest, does he not?

Mr. SULLIVAN. Well, he is a legal gambler. He is the owner of a dog track.

Mr. MOSER. Well, the law forbids contributions to a political campaign by dog- or horse-track interests, doesn't it?

Mr. SULLIVAN. That's right.

Mr. RICE. As to dog-track contributions to a campaign, I believe that the statute provides that any such contributing interest, contributing directly or indirectly, will be subjected to a loss of license; is that right?

Mr. SULLIVAN. That is right.

Mr. RICE. Has there been any action taken in that respect in connection with Johnston's contribution, to your knowledge?

Mr. SULLIVAN. No; there has not. The matter has constantly been put before the Governor's attention for the last year and a half by us. In fact, an extensive report was given February 24, 1950. The Racing Commission announced that they were making a big investigation, and nobody has ever gotten a report out of them, and there is no indication that they are going to do anything.

Richard Ervin, the attorney general, who submitted a brief on the law and an opinion, said that to his mind a contribution by an officer or director of a corporation under the section that refers to the racing license, or the section of the law I read you referring to corporations generally, constitutes practically prima facie evidence that he was acting as an agent of the corporation and contracting for and on behalf of the corporation, and it was up to the corporation to disprove that. And it must be understood that an officer of a corporation who contributes huge money is not doing it as an individual; he is doing it for and on behalf of the corporation.

Mr. RICE. Have you been able to obtain any replies from Fuller Warren to your communications relating to these questions?

Mr. SULLIVAN. We have a book full of them. To some of them the law doesn't apply.

Mr. RICE. And in spite of that the Attorney General has indicated at rebuttable presumption that there is a prima facie case there?

Mr. SULLIVAN. That's right. Of course they got an opinion from the racing commission which went off on a tangent to say that they didn't think there was any violation of the law, but the point is that we have attempted to have an investigation made, an investigation of

the Capone interests in racing in this State. Of course this thing goes along with it, more or less, as to whether the Capone interests have contributed money or whether they have the money that has gone into gubernatorial elections, whether it has come out of Chicago or other ganglands. We have a file that thick [indicating] asking that some investigation be conducted, and there hasn't been any conducted that I know of as yet.

As to the racing commission that was in, the legislature had this legislative investigation, and they first of all refused to approve their reappointments and, secondly, they sent some kind of a proclamation over to the Senate and asked that the entire five of them be fired, and all five of them were replaced here about a week or two ago by five new men. There were about three on that commission who consistently reinstated bookmakers, for instance, spent money rather freely, expense money, and, generally speaking, misconducted themselves, without any regard at all for the racing laws, the intent of the racing laws or anything else. One of them, in fact, was a man who lived at the Wofford Hotel during the time that all the mobsters and gangsters lived there; and later, when Abe Allenberg moved to the Boulevard Hotel, he moved to the Boulevard Hotel, too.

Mr. RICE. Which one was he?

Mr. SULLIVAN. Roy Patience.

Mr. RICE. You indicated that there were strong indications that the Capone interests were interested or connected in the dog track interests here. Would you amplify that particular question? Would you say that Jake (Greasy Thumb) Guzik or Tony Accardo or that group which has taken the place of the Capone interests in Chicago, are connected with the racing situation in this State?

Mr. SULLIVAN. I certainly think there is more than ample reason to believe that that is so. There is a tremendous quantity of information showing there is. In February of last year a report given to the Governor set forth specifically that there was reason to believe that the Capone mob had interests in the Miami Beach Kennel Club, and the report went on further and stated that there was reason to believe that John Patton was a major stockholder in that corporation, that he had been comptroller, and his name doesn't show on the records of the racing commission as to his owning any stock. You must include this information. Johnnie Patton's name does not show on it, because I have seen the records.

Mr. RICE. John Patton was known as the Boy Mayor of Burnham, Ill., one of the heads of the Capone mob?

Mr. SULLIVAN. That's right. In the same report that was sent to the Governor and discussed with the Governor (and that has been almost a year and a half ago), it was set forth that not only did John Patton own stock but that probably the stock was held falsely and improperly in the name of his son-in-law, and that is a fact that was corroborated by your own committee, because when they got John Patton on the stand in Chicago he said that he and Bill Johnston controlled a Miami Beach dog track. There never has been any investigation conducted in this State on that.

Mr. RICE. There never has been an investigation on that conducted at the State level?

Mr. SULLIVAN. No. There was an announcement made of an investigation that was to be held last fall, or August, of a sweeping investigation, and they hired accountants, and that is all that has ever happened. Nobody has got a report from them, no report on Miami Beach, Jacksonville tracks or Tampa tracks.

Mr. RICE. Would you have any notion or could you account for any reason why there was no investigation when it would seem that one is certainly called for?

Mr. SULLIVAN. There is no question in my mind. I think the reason is because Johnston controls the tracks, and he is very close to the State administration.

Mr. RICE. In other words, there is such a tremendous influence wielded by this man, who is associated with the Capone mobsters, that he is able to stifle and cut off any attempt at investigation?

Mr. SULLIVAN. I don't think there is any question about it.

Mr. MOSER. Have you talked to the Governor personally about these things?

Mr. SULLIVAN. Yes.

Mr. MOSER. Recently.

Mr. SULLIVAN. No.

Mr. MOSER. Have you attempted to communicate with the Governor recently?

Mr. SULLIVAN. Oh, I don't know; up until about a month or two ago. Yes, we write to him every once in a while.

Mr. MOSER. Do you get answers to your letters?

Mr. SULLIVAN. Sometimes.

Mr. MOSER. Do you get letters from him personally?

Mr. SULLIVAN. Sometimes telegrams.

Mr. MOSER. Signed by him?

Mr. SULLIVAN. Sometimes or sometimes he puts them on the AP or UP wires, or a telegram is sent to the newspapers. Sometimes he sends telegrams to the newspapers.

Mr. MOSER. You don't know whether they come from him personally?

Mr. SULLIVAN. It is kind of hard to say. He has his name on them, Fuller Warren, and you have to assume that he sent them. He sent me one about that long [indicating].

Mr. MOSER. Do you have any letters with his signature on them?

Mr. SULLIVAN. Yes.

Mr. MOSER. Then he does answer letters?

Mr. SULLIVAN. Sometimes. We tried to get hold of him about 5 months after he went into office, but he would not answer letters or telephone calls or anything else. We wanted to talk to him about the situation down here.

Mr. RICE. So did we.

Mr. MOSER. As you know, we have sent invitations for him to come here. We don't know for sure that he gets them. We get replies from his press secretary, but we have no assurance that his press secretary advises him of our invitations.

Mr. SULLIVAN. Well, you will probably hear from him after you leave. We have found, for instance, when we were trying to get some kind of an investigation conducted on these race tracks and dog tracks,

that there were responses, but generally the responses were evasive or to the effect that legally this couldn't be done or this does not come within the law, such and such law and what not.

There is no question but that the racing commission has tremendous power. They are supervising what amounts to a precarious occupation. They are supervising gambling, which is always dangerous, surrounded as it is by sharpsters and people who are trying to take advantage of the State or anybody else, and we just have not been successful in reaching an attentive ear or a listening ear.

Mr. MOSER. In other words, it is extremely important that the racing commission be honest?

Mr. SULLIVAN. Absolutely. I think there are two major occupations in the history of the United States which are sometimes legalized and which are generally thought to be illegal; but controls must be thrown around them. Those are the liquor industry and the gambling interests. If you don't have these controls they get out of hand. If too many liquor licenses and gambling licenses go out, the first thing you know there are too many liquor or beer parlor operators who don't have enough business, and then they run bolita out of the places or run after hours and sell to juveniles. The whole history of liquor shows that it must be strictly under supervision, and the same thing applies to gambling. When they do legalize it, it is susceptible to sharp practices. There is a strong motive for gangster interests to get control of racing. There must be strong safeguards thrown about it, because by its very nature it is subject to sharp practices, bribery, and so forth. So when they did lift the lid a little bit, then the supervisors or commissioners are given very strong powers to clamp down. There is no other person who can come into your business and tell you when to close or who can come into your business and go searching through your back-rooms, which is the general practice on liquor. Unusual powers are given to the State on liquor violations, and the same with gambling.

Mr. MOSER. There would be a very strong motive for gangster interests to get control of racing authorities or other law-enforcement agencies?

Mr. SULLIVAN. Terrific, terrific.

Mr. MOSER. And it would be worth a lot of money to them, wouldn't it?

Mr. SULLIVAN. It is worth millions of dollars to them.

Mr. MOSER. It might be worth \$450,000 for them to contribute that amount toward a campaign?

Mr. SULLIVAN. That would be nothing. For instance, with the extent of organized bookmaking in the United States, the power that the wire services wield over organized syndicates, it would be safe to say that 1 day's bets would amount to not less than that. For instance, in the betting at Hialeah, the total amount of money bet there equals that bet by all bettors in New York and all over. That runs into millions, untold amounts, of money. So that the control of that racing there, the proper supervision of that particular race track, requires very strong powers of the racing commission to inquire into the jockeys, to inquire into and lay down rules and conditions as to the races, the examination of the horses before and after races to see whether the races are fixed, to see whether the gambling syndicates

have rigged odds. They use come-back money, telephoned within the track and, of course, the wire services are rigging and manipulating the odds.

MR. MOSER. Then \$450,000 would be a small price to pay for all of that?

MR. SULLIVAN. It would be very minor.

THE CHAIRMAN. I feel, Mr. Sullivan, that it is only in order to state that the committee are of the opinion that your commission, under Colonel Younger and yourself and your associates, is entitled to the gratitude of the decent-thinking people, not only of this State but of other States of the Union. What you gentlemen have done is entirely in accordance with the recommendations of our committee under Senator Kefauver, because you are attempting to handle it at the local level, and you certainly, all of you, have shown vigilance and a forthright attitude, which is to be commended very highly.

Just one other question: In my opening statement I attempted to picture conditions which we found here, and I was wondering whether you found those statements to be well-founded.

MR. SULLIVAN. I believe they are entirely well-founded, Senator.

THE CHAIRMAN. I have particular reference to two statements; one, that the committee had already established that the tentacles of interstate gambling interests were extending into Florida, and also that numerous racketeers have been attracted to Florida, and have become firmly entrenched here. Do you think those statements are accurate?

MR. SULLIVAN. I think they are understated.

THE CHAIRMAN. Thank you very much, Mr. Sullivan.

(Witness excused.)

TESTIMONY OF HARRY O. VOILER, MIAMI BEACH, FLA.

THE CHAIRMAN. Before Almighty God do you solemnly swear that the testimony you will give will be the truth, the whole truth, and nothing but the truth, so help you God?

MR. VOILER. I do.

THE CHAIRMAN. Your full name, please?

MR. VOILER. Harry O. Voiler.

THE CHAIRMAN. And your address?

MR. VOILER. 334 Twentieth Street, Miami Beach, Fla.

THE CHAIRMAN. Mr. Voiler, may I ask you to keep your voice up, if you can, without too much difficulty, if you please?

MR. VOILER. May I make a statement, sir?

THE CHAIRMAN. Well, you may when you are asked a question. Will you just wait until the question is asked?

MR. VOILER. Just before the question is asked?

THE CHAIRMAN. Just after the question is asked.

MR. MOSER. Mr. Voiler, did you at one time own the stock of a corporation known as Oliver Publishing Corp.?

MR. VOILER. At one time?

MR. MOSER. Yes.

MR. VOILER. I still own it.

MR. MOSER. You do?

MR. VOILER. Just a moment, please. May I make a statement now?

MR. MOSER. You have answered that question.

The CHAIRMAN. Let us get the one before which you desire to make a statement.

Mr. VOILER. Of course, you understand. Mr. Chairman, I am depending upon you to make a statement. Will you repeat the question, please?

Mr. MOSER. What is the total amount of outstanding shares of Oliver Publishing Co.?

The CHAIRMAN. Do you want to make a statement in advance of that?

Mr. VOILER. Yes.

The CHAIRMAN. Well, now you have the opportunity of doing that.

Mr. VOILER. Mr. Chairman, I would like very much to have the record show that I appear here because I have been subpoenaed. I would also like the record to show that 34 years ago I was arrested, convicted of a crime, sent to a penitentiary, and served 4 years. I would like the record to show that there is a suit pending against Miami Daily News for \$300,000 by me. I would greatly appreciate it if the Chair (and I presume he is a member of the bar, is a statesman, and is a gentleman) will consult with the attorneys and ask them to submit their questions in such a way that what I have just stated will remain status quo and that I shall be able to give them straight answers without trying to appeal to what has now become famous, that "I refuse to answer for fear that it might incriminate me."

The CHAIRMAN. Mr. Vailer, we are very glad to have your statement, and it is duly noted in the record.

Mr. MOSER. Mr. Vailer, we want you to know that we are not asking questions to condemn you; we are not attempting to get you into trouble; we are trying to get information to help guide the Senate. This is not an attack upon you.

Mr. VOILER. Thank you.

Mr. MOSER. If we ask questions that are embarrassing to you, we are sorry, but they are asked for the purpose of bringing out facts.

Mr. VOILER. I think that if you bear in mind what I have stated—

Mr. MOSER. I can't guarantee that. We don't know the nature of your suit.

Mr. VOILER. I think this committee should acquaint itself with all phases, with all facts.

The CHAIRMAN. That is why you are here.

Mr. VOILER. Thank you.

Mr. MOSER. You mentioned the fact that you were convicted of a crime many years ago?

Mr. VOILER. That's right.

Mr. MOSER. The crime was armed robbery?

Mr. VOILER. That's right, sir.

Mr. MOSER. Have you been arrested since then?

Mr. VOILER. Well, that is rather a catchy question, sir. I would prefer that you specify. Of course, anyone could go down the street and be arrested, get picked up.

Mr. MOSER. In 1930 you were arrested in Chicago?

Mr. VOILER. Would you be specific and say what it was for?

Mr. MOSER. The indications are that you were arrested for attempted murder; is that correct?

Mr. VOILER. The information—that is what—

Mr. MOSER. We have information to the effect that on March 23, 1930, you were arrested in Chicago, Ill., for attempted murder; is that correct?

Mr. VOILER. Yes, sir.

Mr. MOSER. We also have evidence that you were arrested in Burbank, Calif., in November 1933, on suspicion of murder; is that correct?

Mr. VOILER. No; that is not correct, sir.

Mr. MOSER. Weren't you arrested by the Los Angeles police in 1933?

Mr. VOILER. Not by the Los Angeles police; by the district attorney, investigator for the district attorney, Burron Fitts.

Mr. MOSER. By the sheriff's office?

Mr. VOILER. No, sir.

Mr. MOSER. By whom were you arrested?

Mr. VOILER. By the investigator for the district attorney, Burron Fitts, of Los Angeles County.

Mr. MOSER. Enforcement officers?

Mr. VOILER. I wouldn't call them enforcement officers.

Mr. MOSER. But in any event you were arrested by law-enforcement officers of some kind; is that true?

Mr. VOILER. Yes, sir.

Mr. MOSER. For suspicion of murder; were you fingerprinted on each of these occasions?

Mr. VOILER. I believe that the legal procedure has always been to fingerprint one when one is arrested.

Mr. MOSER. In February 1934 were you arrested in Miami?

Mr. VOILER. I wish you would be more specific, please.

Mr. MOSER. Were you arrested in Miami, Fla., as a fugitive from California on a charge of robbery?

Mr. VOILER. Yes. Mr. Chairman, please——

The CHAIRMAN. Go ahead.

Mr. VOILER. I think that these questions that are being asked are leading. However, they put a bad slant. Counsel does not say what happened. He does not go any further. He just says, "Were you arrested?" I will greatly appreciate it if the record could show what transpired and what happened in all of these arrests. Let us come to that conclusion so the record would be clean.

The CHAIRMAN. Very good, sir. You are at liberty to tell us what happened.

Mr. VOILER. He only asks me questions——

Mr. RICE. You asked him to ask you questions, to lead you, to suggest what the answer was.

Mr. MOSER. I will ask the questions.

Mr. VOILER. Thank you, sir.

Mr. MOSER. You were arrested for armed robbery in 1918 and you were given a sentence of how many years?

Mr. VOILER. Thirty years.

Mr. MOSER. How many of those years did you serve?

Mr. VOILER. Four.

Mr. MOSER. Why did you serve only 4 out of 30 years?

MR. VOILER. Because the police had the governor of the State investigate the crime and he saw fit to release me after 4 years. He thought I was not guilty. The governor is still living.

MR. MOSER. In November 1933, you were arrested on suspicion of murder by the police in Burbank, Calif., were you not?

MR. VOILER. No, sir.

MR. MOSER. Were you arrested at all in November 1933?

MR. VOILER. I was arrested in Hollywood, Fla.—Hollywood, Calif., in 1933.

MR. MOSER. On what charge?

MR. VOILER. No charge. I was kidnaped and taken to Burbank, Calif., and there placed incognito and held on the presumption of suspicion of murder.

MR. MOSER. Were you held by the district attorney's office?

MR. VOILER. Yes, sir.

MR. MOSER. In 1934 you were arrested by the Miami police, were you not, on a charge of being a fugitive from a charge of armed robbery?

MR. VOILER. Yes, sir.

MR. MOSER. What happened then?

MR. VOILER. The governor of the State refused to extradite me to California.

MR. MOSER. Were you held under a \$10,000 bond at that time?

MR. VOILER. Yes, sir.

MR. MOSER. In 1937 in Miami, Fla., were you arrested again for permitting construction work to be done on Sunday?

MR. VOILER. Now, that is a rather ridiculous charge, isn't it?

MR. MOSER. Were you also arrested on the charge of interfering with an officer?

MR. VOILER. I can't be responsible for anything that an officer may charge me with. My recourse is when I appear before some court.

MR. MOSER. Did you appear before a court at that time?

MR. VOILER. Yes, sir.

MR. MOSER. What happened?

MR. VOILER. I think I was discharged.

MR. MOSER. Would it surprise you if you were told that you were fine \$25 and costs, and given 30 days on a suspended sentence?

MR. VOILER. I would be surprised, sir.

MR. MOSER. I have a record to that effect, sir. Is it true that in 1937 you were arrested by the Miami police as a fugitive from justice from Los Angeles on a charge of robbery; 1937, December 30, 1937?

MR. VOILER. 1937? I am afraid that I was arrested in 1907.

MR. MOSER. 1937.

MR. VOILER. In 1937?

MR. MOSER. Yes.

MR. VOILER. As a fugitive from justice?

MR. MOSER. You have gone back a long way to 1907; I didn't know about that one. Was there one in 1907?

MR. VOILER. No.

MR. MOSER. I am sorry.

MR. VOILER. You have the record in front of you.

MR. MOSER. You haven't answered my question.

MR. VOILER. You want to ask me whether I was arrested in 1937?

Mr. MOSER. December 1937; yes.

Mr. VOILER. If I remember correctly, Governor Cone extradited me to California.

Mr. MOSER. What was the charge?

Mr. VOILER. I think it was robbery.

Mr. MOSER. What was the disposition?

Mr. VOILER. Discharged.

Mr. MOSER. Whom were you accused of robbing?

Mr. VOILER. I don't know.

Mr. MOSER. Could it have been Mae West?

Mr. VOILER. It could have been.

Mr. MOSER. In 1944, in November, you were arrested in Miami for violation of the State beverage law?

Mr. VOILER. Yes.

Mr. MOSER. What was the disposition?

Mr. VOILER. Discharged.

Mr. MOSER. Would it surprise you if I told you you were fined costs or 10 days in jail; your choice?

Mr. VOILER. May I answer that question?

Mr. MOSER. Surely. Please do.

Mr. VOILER. We had a restaurant and it had a bar license. The law specifies that one must renew their license in October. We were a little bit late, I think 2 or 3 days, and that is how the charge came about. When we renewed our license, I think the charge automatically was dropped.

Mr. MOSER. In 1950, November 15, were you arrested by the police, by the sheriff's office in Miami for renting a room for gambling purposes?

Mr. VOILER. No. I think I was indicted by the Dade County Grand Jury.

Mr. MOSER. Were you indicted?

Mr. VOILER. For permitting a tenant to use a room that they thought was for gambling purposes.

Mr. MOSER. It was for renting a room to someone for gambling purposes; is that right; that is correct, is it not?

Mr. VOILER. I was indicted on that.

Mr. MOSER. Yes.

Mr. VOILER. It is still pending.

Mr. MOSER. Oh, it is still pending?

Mr. VOILER. Yes, sir.

Mr. MOSER. When did you come to Miami?

Mr. VOILER. 1933.

Mr. MOSER. Will you please repeat the date when you came to Miami, when you moved to Miami?

Mr. VOILER. (No response.)

Mr. MOSER. Mr. Voiler, would you please repeat the date when you came to Miami?

Mr. VOILER. I believe it was sometime in February of 1933.

Mr. MOSER. Did you register here as a person who had been convicted of a crime?

Mr. VOILER. I didn't have to; I did on my own volition.

Mr. MOSER. What is your business; what has your business been since you have been in Florida?

Mr. VOILER. Well, my last occupation was as a newsboy.

Mr. MOSER. You started off as a newsboy?

Mr. VOILER. No; that is my profession.

Mr. MOSER. Your profession is as a newsboy?

Mr. VOILER. Yes.

Mr. MOSER. What is your connection with the Palm Court Hotel?

Mr. VOILER. I am the president.

Mr. MOSER. You are the president?

Mr. VOILER. Yes.

Mr. MOSER. Are you also a director of that corporation?

Mr. VOILER. Yes, sir.

Mr. MOSER. Who is Louise Voiler?

Mr. VOILER. She is my wife.

Mr. MOSER. Is she also a director of that corporation?

Mr. VOILER. Yes, sir.

Mr. MOSER. Who owns the stock of that corporation?

Mr. VOILER. Mrs. Louise Voiler and Harry O. Voiler.

Mr. MOSER. Together?

Mr. VOILER. No, not together.

Mr. MOSER. You each own some of the stock?

Mr. VOILER. That's right.

Mr. MOSER. What percentage of the stock do you own?

Mr. VOILER. I think I own three shares.

Mr. MOSER. What is the business of that corporation?

Mr. VOILER. It owns a valuable piece of property, 309 Twenty-third Street, Miami Beach, Fla.

Mr. MOSER. That is the piece of property known as Palm Court Hotel?

Mr. VOILER. Yes, sir.

Mr. MOSER. And have you operated that hotel?

Mr. VOILER. We operated it up to 2 years ago. We leased it out 2 years ago.

Mr. MOSER. You leased it out 2 years ago?

Mr. VOILER. Yes.

Mr. MOSER. To whom did you lease it?

Mr. VOILER. To Herman and Beatrice Kohen, K-o-h-e-n.

Mr. MOSER. In 1950, March 2, did the telephone company remove some telephones from there?

Mr. VOILER. Not from the hotel.

Mr. MOSER. Not from the hotel?

Mr. VOILER. No, sir.

Mr. MOSER. What did they remove them from?

Mr. VOILER. They may have removed them from some particular room.

Mr. MOSER. From some particular room?

Mr. VOILER. Yes.

Mr. MOSER. Do you remember which room?

Mr. VOILER. (No response.)

Mr. MOSER. You don't remember which room?

Mr. VOILER. I think it was rooms 102 and 5.

Mr. MOSER. 102 and 5; two rooms?

Mr. VOILER. Yes.

Mr. MOSER. How many telephones were removed on that occasion?

Mr. VOILER. I wouldn't know, sir.

Mr. MOSER. I offer in evidence as Exhibit No. 5 a schedule furnished to us by the telephone company, Southern Bell Telephone Co., showing the removal of 12 telephones from that address on March 2, 1950.

(Said document as above identified received and marked "Exhibit No. 5," and appears in the appendix on p. 223.)

Mr. VOILER. Mr. Chairman, please, the evidence that is being offered is against the Palm Court Hotel, and I don't think that is right.

The CHAIRMAN. Why do you object to having a record that pertains to them if it doesn't pertain to you?

Mr. VOILER. Because that particular room has been leased out to a tenant. The tenant's name is Charlie Friedman. I don't think—

Mr. RICE. Is that the Charles Friedman that is a member of the S. & G. Syndicate?

Mr. VOILER. I don't know. It may be.

Mr. RICE. You read your paper, don't you?

Mr. VOILER. Do I read my paper? Very thoroughly.

Mr. RICE. You know who Charlie Friedman is?

Mr. VOILER. I mustn't believe everything I read.

The CHAIRMAN. Don't you read your own paper, and don't you believe what you read in your own paper?

Mr. VOILER. I believe what I read in my paper; yes.

The CHAIRMAN. Do you still object to that record going in?

Mr. VOILER. I would like the record to show, if you please, that those telephones in question are not telephones of the Palm Court Hotel, Inc.

Mr. MOSER. The records speaks for itself, Mr. Voiler. I refer to exhibit No. 5, and it points out that telephones removed were listed as follows [reading]:

Trocadero Restaurant, billed to Harry O. Voiler; Palm Court Hotel, billed to Palm Court hotel, Inc.; Palm Court Tailoring Co., billed to Palm Court Hotel, Inc.; Palm Court Hotel, billed to Palm Court Hotel, Inc.; Palm Court Hotel, billed to Palm Court Hotel, Inc.; George McElroy, billed to George McElroy; Palm Court Hotel, billed to Palm Court Hotel, Inc.; Liberty Bridge Club, billed to Ruby Lazarus; Palm Court Hotel, billed to Palm Court Hotel, Inc.; Jack's, fruit shippers, billed to Mabel M. Cummings; Mary's Flower Shop, billed to Alice Hodge; Palm Court Hotel, billed to Palm Court Hotel, Inc.—all removed from one room.

The CHAIRMAN. What do you have to say to that?

Mr. VOILER. I object to it.

The CHAIRMAN. Is it true or not?

Mr. VOILER. I couldn't answer that.

The CHAIRMAN. It will be received in evidence.

Mr. MOSER. On July 25, 1950, do you know that more telephones were removed from the Palm Court Hotel?

Mr. VOILER. No, I don't.

Mr. MOSER. You do not know?

Mr. VOILER. No.

Mr. MOSER. You never heard of that?

Mr. VOILER. I know that there has been some sort of commotion there; I don't know what transpired.

Mr. MOSER. On that date 11 telephones were removed from the Palm Court Hotel and you were manager of the hotel, were you not?

Mr. VOILER. In 1950?

Mr. MOSER. Yes.

Mr. VOILER. Definitely not.

Mr. MOSER. When did you cease being manager of the hotel?

Mr. VOILER. I think I stated in the record there that it shows we had leased the Palm Court Hotel out October 1, 1949.

Mr. MOSER. To Mr. Kohen?

Mr. VOILER. That's right.

Mr. MOSER. The Palm Court Hotel Corp. still exists, doesn't it?

Mr. VOILER. Definitely.

Mr. MOSER. You are the resident agent of that hotel, are you not?

Mr. VOILER. I am not living there at the present time.

Mr. MOSER. You are the resident agent for corporate purposes, are you not?

Mr. VOILER. Yes.

Mr. MOSER. And the hotel is now not operated by the hotel, Palm Court Hotel Corp.?

Mr. VOILER. That's right, sir.

Mr. MOSER. What was your source of income during the time you were occupying the Palm Court Hotel?

Mr. VOILER. What year are you referring to, sir?

Mr. MOSER. I was asking you about the period when you ran the Palm Court Hotel, which would be the years prior to October 1949?

Mr. VOILER. They started them in 1936 and then they would of course come up to date, for that matter, although we had leased the hotel out.

Mr. MOSER. Let us start with the year 1944; can you tell me what your income was from the Palm Court Hotel at that time?

Mr. VOILER. I will have to refer to some records, sir.

Mr. MOSER. All right.

Mr. VOILER. I am afraid you subpoenaed here and asked me to come here with records from 1945; therefore, I didn't bring any records for 1944.

Mr. MOSER. In 1944 did you sell stock, corporation stock, in the name of New Lee Corp.?

Mr. VOILER. I believe I did, sir.

Mr. MOSER. What was the nature of that corporation; what was its business?

Mr. VOILER. The New Lee Corp.?

Mr. MOSER. The New Lee Corp.

Mr. VOILER. It had a drug store, a sundries store, in the Wofford Hotel.

Mr. MOSER. How much, roughly, does the stock cost?

Mr. VOILER. Originally the stock cost approximately \$13,500.

Mr. MOSER. For how much did you sell it?

Mr. VOILER. \$10,000.

Mr. MOSER. You sold it in 1944?

Mr. VOILER. Somewhere around that.

Mr. MOSER. What is your source of income other than Palm Court Hotel; any?

Mr. VOILER. Would you please be specific?

Mr. MOSER. In 1944.

Mr. VOILER. In 1944 I think the hotel was operating.

Mr. MOSER. You think the hotel was operating and you reported in your income-tax return that you received \$3,000 from that hotel that year and that you received approximately \$1,600 from other sources. Is that your only income for that year?

Mr. VOILER. 1944?

Mr. MOSER. Yes.

Mr. VOILER. Whatever the record shows that must be it.

Mr. MOSER. So your only income was \$4,600, your gross income, for that year?

Mr. VOILER. I wouldn't know, sir; whatever the record shows. I haven't got the returns for 1944.

Mr. MOSER. Was the Trocadero Restaurant in the hotel in 1944, in the Palm Court Hotel in 1944?

Mr. VOILER. Mr. Chairman, may I make an observation here, please?

The CHAIRMAN. Yes.

Mr. VOILER. I think there is a statute, section 55, title 26, Internal Revenue Code, that I think should be observed here.

The CHAIRMAN. To what effect?

Mr. VOILER. I am not familiar with any of these questions that man asks me. He should subpoena my auditors.

The CHAIRMAN. Well, if you are not familiar with the questions, you can so state. You are being asked direct questions as to whether you yourself didn't make certain returns concerning items.

Mr. VOILER. We made those returns and they appear on files which the Government has.

The CHAIRMAN. There may be some information which you possess that the Government does not possess.

Mr. VOILER. Mr. Chairman, that is a terrible statement to make.

The CHAIRMAN. No.

Mr. VOILER. Indeed it is.

Mr. MOSER. Mr. Voiler, you signed your tax returns, did you not?

Mr. VOILER. Yes, sir.

Mr. MOSER. In those years you probably signed them under oath.

Mr. VOILER. Yes.

Mr. MOSER. Were they correct in all respects?

Mr. VOILER. Yes, sir.

Mr. MOSER. In 1944 your tax return showed your income was \$4,600; is that correct?

Mr. VOILER. Yes.

Mr. MOSER. And the only income you received from the Palm Court that year was \$3,000, if the record so states?

Mr. VOILER. That's right.

Mr. MOSER. Was the Trocadero restaurant running that year?

Mr. VOILER. Yes, sir.

Mr. MOSER. Was its income included in that of the Palm Court Hotel?

Mr. VOILER. Yes, sir.

Mr. MOSER. In the year 1945 your return shows an income of \$10,400 from the Palm Court Hotel, an increase of \$7,400; does that sound right?

Mr. VOILER. Why not?

Mr. MOSER. It is a sudden increase. In the year 1946 you received no income whatever from the Palm Court Hotel; how do you account for that?

Mr. VOILER. Probably had a bad year.

Mr. MOSER. I think the business must fluctuate quite a bit. In 1947 you reported no income from the Palm Court Hotel at all; your only income reported was \$1,266.17; can that be true?

Mr. VOILER. Yes.

Mr. MOSER. In 1948 you again reported income from the Palm Court Hotel, \$2,600, or rather \$4,400 total; is that the only income from the Palm Court Hotel?

Mr. VOILER. Yes, sir.

Mr. MOSER. What is the Western Packing Corp.?

Mr. VOILER. That was a meat-packing corporation that was in business.

Mr. MOSER. In what year?

Mr. VOILER. I think it was in 1946 and approximately 1947.

Mr. MOSER. In 1946 and 1947? The only income you received that year was \$2,300 in 1946, and was income from the Western Packing Corp.?

Mr. VOILER. I believe my salary was \$100 a week, and that was my income.

Mr. MOSER. And that is all you lived on?

Mr. VOILER. I live on less, if it pleases you.

Mr. MOSER. Does your wife have any income?

Mr. VOILER. No.

Mr. MOSER. And you live on that small amount of money?

Mr. VOILER. On less.

Mr. MOSER. In 1950 you showed total income of \$900; is that approximately what you are living on?

Mr. VOILER. No. I might live on a little more than that.

Mr. MOSER. On your capital?

Mr. VOILER. Yes, sir.

Mr. MOSER. What does your capital consist of, stocks and bonds?

Mr. VOILER. Today?

Mr. MOSER. Yes.

Mr. VOILER. I am afraid it doesn't consist of very much.

Mr. MOSER. You live only on the interest and dividends from your capital; is that correct?

Mr. VOILER. No. I may live on my capital, not on the interest.

Mr. MOSER. You just use the capital?

Mr. VOILER. One has to dig into capital.

Mr. MOSER. Where do you work now?

Mr. VOILER. I am not working at all.

Mr. MOSER. Are you familiar with a banquet that was held at the restaurant in your hotel given for the benefit of Barry College?

Mr. VOILER. Yes.

Mr. MOSER. You do know about that banquet?

Mr. VOILER. Yes, sir.

Mr. MOSER. Did you attend?

Mr. VOILER. Did I attend?

Mr. MOSER. Yes.

Mr. VOILER. I was the chairman.

Mr. MOSER. Who paid for the banquet?

Mr. VOILER. I did.

Mr. MOSER. You paid for it out of your own pocket?

Mr. VOILER. Yes, sir.

Mr. MOSER. The previous testimony of this committee found a check payable by the S. & G. Syndicate, which had marked on it, payable to your restaurant, the Trocadero restaurant, and it had the notation, "For entertainment of Barry College," with funds furnished by the S. & G. Syndicate, arranged by William Burbridge, Miami Beach councilman; is that correct?

Mr. VOILER. He was the cochairman.

Mr. MOSER. And he supplied the money?

Mr. VOILER. He supplied the money?

Mr. MOSER. Yes; so the check indicates, and it came from the S. & G. Syndicate.

Mr. VOILER. I couldn't answer that question, because the Barry College received \$7,500, of which \$6,000 was donations and \$1,500 that the Trocadero restaurant had donated from the entire receipts that day.

Mr. MOSER. Why did the S. & G. Syndicate contribute money to that dinner?

Mr. VOILER. I couldn't answer that question.

Mr. MOSER. Did the S. & G. Syndicate ever pay any money to the Palm Court Hotel, Inc.?

Mr. VOILER. For what purpose?

Mr. MOSER. I am asking you if it ever paid money?

Mr. VOILER. No; the S. & G. never paid. I have a tenant by the name of Charlie Friedman that you have identified in your questioning as a member of the S. & G. Syndicate; but the S. & G. Syndicate never paid any money to the Palm Court Hotel.

Mr. MOSER. What is the Hampshire House?

(No response.)

Mr. MOSER. What is the Hampshire House?

Mr. VOILER. Not knowing, I cannot answer.

Mr. MOSER. You never heard of the Hampshire House?

Mr. VOILER. I have lived in the Hampshire House in New York City.

Mr. MOSER. Did you ever go to New York with Sam Cohen and stay at the Hampshire House?

Mr. VOILER. No.

Mr. MOSER. You never went to the Hampshire House with Sam Cohen?

Mr. VOILER. I went to register at the Hampshire House.

Mr. MOSER. You registered there?

Mr. VOILER. At the Hampshire House, and the house was full, and——

Mr. MOSER. Yes, and——

Mr. VOILER. And Sam Cohen came into the lobby and said, "What is the trouble?" I said, "I have a reservation here, but they have no rooms."

Mr. MOSER. So you stayed in his room?

Mr. VOILER. So he says, "Well, I have an extra bedroom; you can have my bedroom."

Mr. MOSER. Who paid the bill?

Mr. VOILER. He paid it.

Mr. MOSER. Was it paid by the S. & G. Service?

Mr. VOILER. I couldn't answer that.

Mr. MOSER. You don't know?

Mr. VOILER. No.

Mr. MOSER. I offer in evidence a photostatic copy of check dated June 20, 1949, on the account of the S. & G. Service, payable to Hampshire House, with a notation in the upper left-hand corner, "Account of S. P. Cohen and H. Voiler."

The CHAIRMAN. It will be received in evidence.

(Said document as above identified received and marked "Exhibit No. 6," and appears in the appendix on p. 225.)

Mr. MOSER. How do you account for the other checks payable to the Palm Court Hotel from the S. & G. Syndicate?

Mr. VOILER. You see, a hotel cashes all kinds of checks for all kinds of people. Suppose you were a client, a guest of the Palm Court Hotel, and you asked me to cash you a check and, if I knew you, and you wanted it, I would be happy to cash it: it's a matter of courtesy.

Mr. MOSER. So you think all the checks from the S. & G. Syndicate were merely cashed checks?

Mr. VOILER. I wouldn't say that. If you were cashing a check, you would not have it payable to Palm Court Hotel; you would have it payable to cash. If it was made payable to Palm Court Hotel, it could either be payable to rent or as a loan.

Mr. MOSER. Isn't it customary to pay it out in cash?

Mr. VOILER. Not necessarily.

Mr. MOSER. Do you know Tom McGinty of Cleveland, Ohio?

Mr. VOILER. I have known him for over 40 years.

Mr. MOSER. And do you know Herman H. Kohen?

Mr. VOILER. I have known him practically that long.

Mr. MOSER. He purchased the Palm Court Hotel from you, did he?

Mr. VOILER. No.

Mr. MOSER. He rented it from you?

Mr. VOILER. Yes, sir.

Mr. MOSER. Tom McGinty——

Mr. VOILER. Mr. Chairman, may I have some water, please?

The CHAIRMAN. Yes, indeed, you may.

Mr. MOSER. Mr. Voiler, do you know that Tom McGinty is a member of the Cleveland syndicate of gamblers?

Mr. VOILER. No; I couldn't say that.

Mr. MOSER. You know nothing of his business activities?

Mr. VOILER. No; I couldn't say that. I knew him as a newsboy.

Mr. MOSER. Do you know Jack Friedlander, of Newark?

Mr. VOILER. I know a Jack Friedlander, of Miami Beach.

Mr. MOSER. Was he formerly of Newark?

Mr. VOILER. I don't know.

Mr. MOSER. What was his business, newsboy?

Mr. VOILER. I couldn't answer that.

Mr. MOSER. Do you have any idea?

Mr. VOILER. No.

Mr. MOSER. He is not a gambler?

Mr. VOILER. I couldn't answer.

Mr. MOSER. Do you know Charles Friedman?

Mr. VOILER. Very well.

Mr. MOSER. You do?

Mr. VOILER. Yes.

Mr. MOSER. Where does he come from?

Mr. VOILER. I don't know, but he has been my tenant over 17 years.

Mr. MOSER. Where, at the Palm Court Hotel?

Mr. VOILER. At the Palm Court Hotel.

Mr. MOSER. Has the Trocadero restaurant a liquor license?

Mr. VOILER. It did have one.

Mr. MOSER. It did while you were running it?

Mr. VOILER. Yes, sir.

Mr. MOSER. Was it obtained in your name or the name of the restaurant?

Mr. VOILER. I think it was obtained in the name of either the Palm Court Hotel or Mrs. Louise Voiler.

Mr. MOSER. Perhaps in Mrs. Voiler's name?

Mr. VOILER. That's right, sir.

Mr. MOSER. Did you have to sign the liquor-license application at all?

Mr. VOILER. No.

Mr. MOSER. Why didn't you sign it?

Mr. VOILER. You understand why. I think I paraphrased my statement originally. You, being an attorney, you know. Perhaps you would like keep on using the word "ex-convict"; if it pleases you, I will smile; I will smile with you.

Mr. MOSER. I just want you to understand that we are trying to find out—

Mr. VOILER. I don't think you are trying to find out anything that is of benefit to this committee when you are trying to inquire about me being an ex-convict.

Mr. MOSER. I am not trying to show that you are an ex-convict.

Mr. VOILER. Oh, yes; you are. I tried to help you by helping you out—by paraphrasing my statement to the chairman.

Mr. MOSER. I think that we have shown that you have associations among gamblers; is that correct?

Mr. VOILER. No; I don't think so. You haven't shown anything yet.

The CHAIRMAN. That is for the committee to decide.

Mr. VOILER. I am a party of this committee right now.

The CHAIRMAN. You are a witness now, involuntary.

Mr. VOILER. Voluntary.

The CHAIRMAN. I thought you came in response to a summons.

Mr. VOILER. I would have come if you had called me up.

Mr. MOSER. You are the sole owner of the Oliver Publishing Corp., are you not?

Mr. VOILER. Yes, sir.

Mr. MOSER. That was organized for the purpose of publishing a newspaper called the Morning Mail; is that correct?

Mr. VOILER. Yes, sir.

Mr. MOSER. It was organized in the fall of 1949?

Mr. VOILER. Yes, sir.

Mr. MOSER. Did that newspaper have printing equipment and a building?

Mr. VOILER. Yes, sir.

Mr. MOSER. Where was it located?

Mr. VOILER. 1521 and 1523 Alton Road, Miami Beach, Fla.

Mr. MOSER. How much did the building cost you?

Mr. VOILER. \$70,000.

Mr. MOSER. How much did the equipment cost?

Mr. VOILER. Well, it originally was—the original equipment that I bought in Washington, D. C., was \$41,000.

Mr. MOSER. How much rent do you pay on your apartment?

Mr. VOILER. Where?

Mr. MOSER. At the place you live?

Mr. VOILER. When?

Mr. MOSER. At the present time.

Mr. VOILER. \$100 a month.

Mr. MOSER. How many rooms?

Mr. VOILER. Well, it has a bedroom and a living room and a half dinette and a half sort of kitchen.

Mr. MOSER. And an outside terrace?

Mr. VOILER. Yes.

Mr. MOSER. And it is only \$100 a month?

Mr. VOILER. That is all.

Mr. MOSER. Do you drive an automobile?

Mr. VOILER. No, sir.

Mr. MOSER. You do not?

Mr. VOILER. No, sir.

Mr. MOSER. How do you pay \$100 a month for rent when your income is only \$900 a year?

Mr. VOILER. Well, I think I have a credit in this town after living here for some 17 or 18 years.

Mr. MOSER. Where did you get the \$70,000 that you paid for that building?—that the corporation paid for that building?

Mr. VOILER. I didn't buy the building.

Mr. MOSER. The corporation bought it?

Mr. VOILER. No. I am sorry.

Mr. MOSER. Who owns the building?

Mr. VOILER. Mrs. Louise Voiler.

Mr. MOSER. Mrs. Louise Voiler; where did she get the \$70,000 to buy the building with?

Mr. VOILER. I am afraid you will have to ask her that question.

Mr. MOSER. She has no income, does she?

Mr. VOILER. She has no income whatever.

Mr. MOSER. But she had \$70,000 with which to buy the building? Is that correct?

Mr. VOILER. I don't know, sir. You are asking the question and you want me to answer it.

Mr. MOSER. Do you recommend that we call Mrs. Voiler to testify?

Mr. VOILER. If you wish; yes.

The CHAIRMAN. Can't you tell us?

Mr. VOILER. I can; yes.

The CHAIRMAN. Why don't you answer the question? You said before you wanted to cooperate; why don't you tell us the truth?

Mr. VOILER. I said I wanted to cooperate.

The CHAIRMAN. Why don't you tell us the truth?

Mr. VOILER. Mr. Chairman, I object. Have you insinuated that I am not telling the truth? I want the record to show that I object to the Chair accusing me of using falsehoods.

The CHAIRMAN. We are not concerned about that.

Mr. VOILER. I am concerned.

Mr. MOSER. Mr. Voiler, you are not accused of telling a falsehood. He asked you to tell the truth.

Mr. VOILER. What do you think I have been doing all this time on this chair?

Mr. MOSER. You refused to answer a question.

Mr. VOILER. I haven't. I haven't refused to answer.

Mr. MOSER. You said we should ask your wife. Where did your wife get the \$70,000 to buy the building?

Mr. VOILER. She didn't pay \$70,000; she only bought it for \$70,000. Does that insinuate that she had to pay cash?

Mr. MOSER. How much cash did she pay?

Mr. VOILER. \$20,000.

Mr. MOSER. Where did she get the cash?

Mr. VOILER. She may have drawn it out of the Palm Court Hotel; she may have sold some jewelry.

The CHAIRMAN. What did she do?

Mr. VOILER. What did she do?

The CHAIRMAN. Yes; what did she do, or do you know?

Mr. VOILER. I think that I gave a check originally for \$7,500, for her.

The CHAIRMAN. You gave a check for \$7,500?

Mr. VOILER. Yes.

The CHAIRMAN. For her?

Mr. VOILER. For her.

The CHAIRMAN. Not your money?

Mr. VOILER. My money and her money must be classified, I think, as one.

The CHAIRMAN. When we asked you if you paid \$70,000 for the hotel, you said, no, your wife did; now, you tell us that your money and hers are classified as one?

Mr. VOILER. Well, it could have been classed as one, couldn't it, after living with the woman for almost 25 years?

The CHAIRMAN. Were you avoiding the question when you said you did not pay it?

Mr. VOILER. No, sir. I am trying to be as honest with you as you want me to be.

The CHAIRMAN. We want you to be completely honest.

Mr. VOILER. All you have to do is ask me honest questions and you will get honest answers.

The CHAIRMAN. I asked you how much did you pay for the hotel?

Mr. VOILER. The hotel is not in question here; you are talking about something else.

The CHAIRMAN. I mean, the building; I asked you how much you paid for the building, and you said you didn't buy it?

Mr. VOILER. That's right.

The CHAIRMAN. You said your wife bought it?

Mr. VOILER. That's right.

The CHAIRMAN. I asked you where she got the money?

Mr. VOILER. That's right.

The CHAIRMAN. Now, I asked you where did you get the \$20,000, you and your wife together, to pay for that building?

Mr. VOILER. Well, would it please you to know that of the \$143,500, which is recorded in Dade County, and for which I sold the Palm Court Hotel, there remains a balance?

The CHAIRMAN. Did anybody else contribute toward the purchase of the building, besides yourself?

Mr. VOILER. Definitely not.

The CHAIRMAN. Who put up the remaining \$50,000 for the purchase of the building?

Mr. VOILER. I sold the assets of the Oliver Publishing Corp. for \$154,490, I believe.

The CHAIRMAN. When did you sell those assets?

Mr. VOILER. We had been negotiating for some time, and I think we consummated the deal on March 22 or 23, or the final deal, I think, was April 2 of 1951.

The CHAIRMAN. Of 1951?

Mr. VOILER. Yes.

The CHAIRMAN. You have told us what you sold the assets for in 1951; we are asking you about the purchase of the assets in 1949.

Mr. VOILER. O. K.

The CHAIRMAN. We have asked you about the building.

Mr. VOILER. I shall answer you.

The CHAIRMAN. You said you paid \$70,000 for the building?

Mr. VOILER. That's right.

The CHAIRMAN. Of which you put up \$20,000 in cash?

Mr. VOILER. That's right.

The CHAIRMAN. Who put up the \$50,000?

Mr. VOILER. As of that sale?

The CHAIRMAN. As of this sale that occurred 3 years later?

Mr. VOILER. No; I am sorry sir, out of this sale that happened on April 2 which was consummated in 1951. We are in the year 1951.

The CHAIRMAN. You purchased the building in 1949?

Mr. VOILER. That's right. The final payment was made sometime in April or March of 1951.

The CHAIRMAN. So that you bought the building in 1949 but didn't pay for it until 1951?

Mr. VOILER. The balance, sir, the balance.

The CHAIRMAN. The \$50,000?

Mr. VOILER. That's correct, sir.

The CHAIRMAN. From whom did you buy that building?

Mr. VOILER (referring to documents). I know the man's name is Diamond, but I can't remember his first name. I think it was George, George Diamond, and Mrs. George Diamond.

Mr. MOSER. You owed them \$50,000 on account of the balance of the purchase price after the purchase, did you not?

Mr. VOILER. Sir, you see, this man is distracting my attention. [Witness refers to photographer.]

Mr. MOSER. He is taking your picture?

Mr. VOILER. He is trying to earn a living.

The CHAIRMAN. We must repeat our admonition to the photographers. Kindly do not take pictures of the witness while he is testifying. If it interferes with your testimony.

Mr. VOILER. No, it doesn't interfere; but you know how it is.

Mr. MOSER. I am trying to find out about the \$50,000 that you didn't pay that you owed to George Diamond and his wife.

Mr. VOILER. He has since died. We paid it to the estate.

Mr. MOSER. You owed it all that time?

Mr. VOILER. Yes.

Mr. MOSER. Did he take the mortgage back?

Mr. VOILER. He took the mortgage back for \$50,000.

Mr. MOSER. Where did you buy the printing presses and so forth?

Mr. VOILER. I bought the equipment from the Washington Printers, Inc., in Washington, D. C.

Mr. MOSER. Washington Printers?

Mr. VOILER. Yes, sir.

Mr. MOSER. Is that a corporation?

Mr. VOILER. Yes, sir.

Mr. MOSER. With whom did you deal in Washington; who was the individual?

Mr. VOILER. Mr. George DeWitt, Jr.

Mr. RICE. Is he the man who lives in Silver Springs?

Mr. VOILER. I believe so, sir, yes, sir.

Mr. RICE. Is he the man that was connected with that St. Helena proposition they had in Maryland?

Mr. VOILER. Not to my knowledge.

Mr. RICE. What business is he in?

Mr. VOILER. He was in the printing business at that time.

Mr. RICE. What business is he in now?

Mr. VOILER. I think right now he is selling lumber.

Mr. RICE. Is he also a lawyer?

Mr. VOILER. No; he is not.

Mr. MOSER. Is he in any way connected with the International Typographical Union?

Mr. VOILER. I don't think so.

Mr. MOSER. Does the International Typographical Union own any stock in the corporation from which you bought the equipment?

Mr. VOILER. I would like to have you rephrase that, please.

Mr. MOSER. You told us that you had bought the equipment from a corporation in Washington?

Mr. VOILER. It is called the Washington Printers, Inc.

Mr. MOSER. The Washington Printers, Inc.?

Mr. VOILER. In Washington, D. C.; yes.

Mr. MOSER. Is any of of the stock of that corporation owned by the International Typographical Union?

Mr. VOILER. I don't think so.

Mr. RICE. How much did you pay for the equipment?

Mr. VOILER. \$41,000.

Mr. MOSER. \$41,000; and you paid \$70,000 for the building?

Mr. VOILER. That's right, sir.

Mr. MOSER. What else did you buy?

Mr. VOILER. We bought three linotype machines from the Linotype Co. in Brooklyn, N. Y., for \$30,000, of which we paid \$10,000 cash.

Mr. MOSER. That makes \$141,000 as the total purchase for the building and equipment necessary to publish the paper; is that correct?

Mr. VOILER. You mean the total amount?

Mr. MOSER. Yes.

Mr. VOILER. Yes.

Mr. MOSER. \$141,000; that is the total?

Mr. VOILER. Yes. Now, there may have been some other small purchases.

Mr. MOSER. Where did you get the \$10,000 in cash?

Mr. VOILER. Which \$10,000 are you speaking of?

Mr. MOSER. The \$10,000 which you paid for the machinery which you purchased from the Washington Press.

Mr. VOILER. You are a little bit mixed up, sir, I am sorry.

Mr. MOSER. No; I am not mixed up.

Mr. VOILER. Yes; you are. You asked me if I bought the machinery for \$10,000; you are talking about the International Typographical—

Mr. MOSER. To the Linotype Co. you paid \$30,000, \$10,000 in cash, and \$20,000 for what? A chattel mortgage for \$20,000?

Mr. VOILER. Yes.

Mr. MOSER. Where did you get the \$10,000 that you paid to the Linotype Co.?

Mr. VOILER. I borrowed it from a friend of mine who is a very prominent man.

Mr. MOSER. What is his name?

Mr. VOILER. Mr. Max Orovitz.

Mr. MOSER. You paid \$41,000 for the other equipment; how much in cash?

Mr. VOILER. I think the first, the initial payment, was \$25,000. Then I think there was another \$10,000 payment made, and then there was another \$5,000 payment made, and the final payment, I think, was \$1,000, and that applied for the rental of the building while we were dismantling. It took us that length of time, or we wanted an extra 2 months' time so that we could have plenty of time to dismantle it.

Mr. MOSER. Where did you get the \$41,000 that was paid for that equipment?

Mr. VOILER. I think the records will show in Dade County that I have a mortgage on the Palm Court Hotel with the First Federal Bank that originally started in 1946 for \$55,000. It is now down—at that time it was down to \$22,000—\$15,000 was loaned to me by Mr. Herman Kohen.

Mr. MOSER. \$15,000 was loaned to you by Herman Kohen?

Mr. VOILER. That's right; and \$106,500 was loaned to me by Mr. Max Menkin and R. H. Hardy and his wife.

Mr. MOSER. So you borrowed \$106,500 from R. H. Hardy and his wife and Max Menkin, and you borrowed \$10,000 from Mr. Max Orovitz; you borrowed \$15,000 from Herman Kohen; that is a total of \$131,500?

Mr. VOILER. And I borrowed \$10,000 personally from the Mercantile National Bank.

Mr. MOSER. And you borrowed \$10,000 from the Mercantile National Bank. In 1946 did you borrow \$55,000 from the First Federal and Loan Bank of Miami?

Mr. VOILER. If you remember, I said that.

Mr. MOSER. In 1946?

Mr. VOILER. Yes, sir; I said that.

Mr. MOSER. That was a loan on the Palm Court Hotel?

Mr. VOILER. That's right; it's a first mortgage.

Mr. MOSER. How was that related to this?

Mr. VOILER. I said that at the end of 1949 we still owed \$22,000.

Mr. MOSER. How much did you pay for your stock in Western Packing Co.?

Mr. VOILER. I paid \$26,000.

Mr. MOSER. Where did you get that?

Mr. VOILER. That was the loan you were referring to, the First Federal loan.

Mr. MOSER. I thought you said the First Federal Loan was a mortgage for the purpose of working on the Palm Court Hotel?

Mr. VOILER. You are talking about 1946?

Mr. MOSER. That's correct.

Mr. VOILER. That's what I say.

Mr. MOSER. You borrowed that money to go into the packing business?

Mr. VOILER. That's right.

Mr. MOSER. Was the packing company engaged in black market activities at all?

Mr. VOILER. Not while I was connected with it.

Mr. MOSER. Who owns it now?

Mr. VOILER. Nobody; it is out of business.

Mr. MOSER. Who owned it before you bought it?

Mr. VOILER. The Western Packing Corp., I think, was owned by Mr. I. R. Miller and his wife, I believe. There was other officers that I don't know about.

Mr. MOSER. You bought it in 1946?

Mr. VOILER. I only bought 50 percent of it.

Mr. MOSER. In 1946?

Mr. VOILER. Late in 1946.

Mr. MOSER. How soon did it go out of business?

Mr. VOILER. The following year or, I might say, I put it in bankruptcy myself late in that year or November of the following year, I am not sure.

Mr. MOSER. So you lost \$26,000?

Mr. VOILER. I didn't lose anything. I got my money back.

Mr. MOSER. Out of the bankruptcy?

Mr. VOILER. I sued them in court and the court granted me all the money.

Mr. MOSER. Do you know a man named Shafkin?

Mr. VOILER. It's rather a tricky question, sir.

Mr. MOSER. Louis Shafkin?

Mr. VOILER. Yes, sir.

Mr. MOSER. How well do you know him?

Mr. VOILER. I could say I know him very well.

Mr. MOSER. Is he an intimate friend of yours?

Mr. VOILER. Yes.

Mr. MOSER. Did he help finance the Oliver Publishing Corp.?

Mr. VOILER. He loaned me a little money.

Mr. MOSER. He loaned you a little bit of money; do you mean, in addition to all of these other loans, you borrowed money from him?

Mr. VOILER. Yes, sir.

Mr. MOSER. How much from him?

Mr. VOILER. \$4,000.

Mr. MOSER. Did Mr. Shafkin attend the opening of the paper?

Mr. VOILER. I believe he did, sir.

Mr. MOSER. Were you there?

Mr. VOILER. Definitely.

Mr. MOSER. Who else was there?

Mr. VOILER. Oh, there were hundreds of people there that I couldn't—

Mr. MOSER. Mrs. Voiler was there?

Mr. VOILER. Yes, sir.

Mr. MOSER. Did you approach anybody else for money?

Mr. VOILER. Did I?

Mr. MOSER. Yes; in connection with the purchase of this paper, the building of the paper?

Mr. VOILER. Not while I was building the paper; not while I was eating up the physical assets, the assets, as we would call it.

Mr. MOSER. Do you know Murray Humphreys of Chicago?

Mr. VOILER. Yes. Murray Humphreys; I sold theater tickets to him in Chicago when I was in the theatrical business.

Mr. MOSER. Did you ask him for money?

Mr. VOILER. No, sir.

Mr. MOSER. Do you know Tony Accardo?

Mr. VOILER. No, I don't.

Mr. MOSER. Did you ask him for money?

Mr. VOILER. How can I ask a man if I don't know him?

Mr. MOSER. You didn't ask indirectly?

Mr. VOILER. I don't know Tony Accardo.

Mr. MOSER. You know who he is, don't you.

Mr. VOILER. No; I don't.

Mr. MOSER. You never heard of him?

Mr. VOILER. O, I have read in the paper; but I don't know anything about Tony Accardo.

Mr. MOSER. Do you know his brother, Martin?

Mr. VOILER. I don't know his brother.

Mr. MOSER. You do not know his brother, Martin?

Mr. VOILER. I know a man by the name of Leo Martin; that may be Martin Accardo.

Mr. MOSER. How well do you know him?

Mr. VOILER. Not too well.

Mr. MOSER. Is Leo Martin the same man who refused to testify here this morning?

Mr. VOILER. I originally knew him as Leo Martin.

Mr. MOSER. But that man whom we called as Martin Accardo is the same man that you know as Leo Martin?

Mr. VOILER. Yes.

Mr. MOSER. And you don't know him very well?

Mr. VOILER. Not too well. I know him.

Mr. MOSER. Did you ask him for any money in connection with the building of this paper?

Mr. VOILER. No, sir.

Mr. MOSER. You did not?

Mr. VOILER. No, sir.

Mr. MOSER. After your paper got going, the Morning Mail, did you need more money?

Mr. VOILER. A newspaper always needs money.

Mr. MOSER. Did you borrow more?

(No response.)

Mr. MOSER. Did you borrow more money after your paper started going?

Mr. VOILER. I really couldn't answer.

Mr. MOSER. You don't remember whether you borrowed any more money?

Mr. VOILER. No.

Mr. MOSER. Did you have losses as you were operating?

Mr. VOILER. Yes.

Mr. MOSER. Where did you get the money to pay the help?

Mr. VOILER. Where did I get the money to pay the help?

Mr. MOSER. Yes.

Mr. VOILER. I think it was in the bank, wasn't it?

Mr. MOSER. I don't know where it was; I am asking you.

Mr. VOILER. I must have got it from the bank.

Mr. MOSER. You don't remember whether you borrowed any money afterward for the operation of the paper?

Mr. VOILER. Well, there were several friends that I think had loaned me some money.

Mr. MOSER. Did they lend you any money?

Mr. VOILER. I believe so.

Mr. MOSER. How much?

Mr. VOILER. I think one man loaned me \$7,500.

Mr. MOSER. \$7,500; who was he?

Mr. VOILER. I think Charlie Friedman loaned me \$7,500.

Mr. MOSER. Do you still owe it to him?

Mr. VOILER. Yes, sir.

Mr. MOSER. Did the paper get into financial difficulties?

Mr. VOILER. We closed up.

Mr. MOSER. And who supplied the money to pay the expenses while you were having financial difficulties?

Mr. VOILER. When we ran out of money we ceased publication.

Mr. MOSER. Did you ask Murray Humphreys for any money?

Mr. VOILER. No, sir.

Mr. MOSER. Did you ask Martin Accardo or Tony Accardo for any money?

Mr. VOILER. No, sir.

Mr. MOSER. Is your answer still "No"?

Mr. VOILER. Yes. My answer is "No."

Mr. MOSER. Do you know Oreeta Yelverton?

Mr. VOILER. Yes; I do.

Mr. MOSER. Who is she?

Mr. VOILER. A lady that lives out in Coral Gables.

Mr. MOSER. Is she the former wife of Martin Accardo or Leo Martin?

Mr. VOILER. I couldn't answer that; I wouldn't know.

Mr. MOSER. Did you borrow any money from her?

Mr. VOILER. No, sir.

Mr. MOSER. You did not?

Mr. VOILER. No, sir.

Mr. MOSER. Did Oliver Publishing Corp. borrow any money from her?

Mr. VOILER. No; we didn't.

Mr. MOSER. You did not?

Mr. VOILER. No, sir.

Mr. MOSER. Was Oliver Publishing Corp. indebted to her?

Mr. VOILER. Mrs. Yelverton tried to make us a loan. She said she was going to make us a loan, but she never did.

Mr. MOSER. Did you execute a promissory note payable to her?

Mr. VOILER. No.

Mr. MOSER. You said, "No"?

Mr. VOILER. Just a minute. Can I enlighten on it, or would you just want a straight answer?

Mr. MOSER. I want an answer; I don't care what kind just so it is truthful.

Mr. VOILER. No.

Mr. MOSER. Did Oliver Publishing Co. sign a note payable to her?

Mr. VOILER. I think we have to amplify that.

The CHAIRMAN. Suppose you do.

Mr. VOILER. All right. Mrs. Yelverton came in to see us and asked us, after she had seen the place—I think she was there opening night; liked the place—she thought she would like the business. She said she had a friend that would like to make an investment. I said, "How much of an investment would you want to make?" She said, "It doesn't matter, whatever you think." I said, "Well, we could use \$125,000."

Mr. MOSER. Did she lend it to you?

Mr. VOILER. Just a minute. I am not through yet, sir. And I said I would be willing to sell half of the place, half of the stock, for that amount of money. She liked the idea, and she said she would let me know. A little time went by and then she asked me if I could give her an agreement to that effect. I said, "Are you serious?" And she said, "Yes." So I went and executed an agreement, which would also apply as a note, signed it, put a stamp on it, had Mrs. Voiler sign it, and handed it to her.

Mr. MOSER. In other words, you did give her a promissory note for \$125,000.

I hereby offer in evidence promissory note dated January 31, 1950, signed by Harry O. Voiler and Louise L. Voiler, as officers of Oliver Publishing Corp., in the amount of \$125,000, with interest at 3 percent per annum until maturity. Attached to it is a chattel mortgage securing that by the composing room equipment and the press equipment and stereotype equipment and the mailing equipment of Oliver Publishing Corp.

Mr. VOILER. Mr. Chairman, if you please——

Mr. MOSER. I am offering this in evidence.

Mr. VOILER. Mr. Chairman——

The CHAIRMAN. What do you want to say?

Mr. VOILER. I think that the record should show that the counsel should read the entire record so that it would be fair to this committee, to the people who are listening and would like to know the facts, as well as to me, who am now the witness, and it concerns me. I would be grateful if you would read the entire letter.

The CHAIRMAN. Mr. Voiler, the document is in evidence. It will be incorporated into the record in full.

(Said document as above identified received and marked "Exhibit No. 7," and appears in the appendix on p. 226.)

Mr. VOILER. That is not fair to the witness, by counsel not reading the entire contents of it.

The CHAIRMAN. What do you want to say? We have a limited amount of time.

Mr. VOILER. It is stipulated that we would put up the stock as collateral, and that is one of the things that counsel has omitted.

Mr. RICE. You mean additional collateral?

Mr. VOILER. Not additional; it doesn't say nothing about additional. I think in justice to every one of us you should read that letter.

Mr. RICE (reading):

It is further agreed that the 50 shares of stock which is the capital stock of the Oliver Publishing Corp. shall be put up as collateral with Oretta Yelverton as further good faith on the part of Harry O. Voiler and Louise L. Voiler and the Oliver Publishing Corp. in redeeming its pledge. It is also understood that there are no bonds of any kind issued or outstanding by the Oliver Publishing Corp., a Florida corporation.

Mr. VOILER. That is what I wanted to show; the stock had never been put up, and, therefore, that is not valid as an exhibit by the State. That is what I wanted to show.

The CHAIRMAN. All right.

Mr. MOSER. Did you get \$125,000?

Mr. VOILER. No, sir.

Mr. MOSER. You did not?

Mr. VOILER. No.

Mr. MOSER. I show you a photograph taken at the opening of the Morning Mail; do you recognize yourself in that picture?

Mr. VOILER. I do, sir.

Mr. MOSER. Do you recognize Louis Shafkin?

Mr. VOILER. Yes, sir.

Mr. MOSER. Do you recognize Martin Accardo or Leo Martin?

Mr. VOILER. I would like the record to show that I know him as Leo Martin. You may know him as Martin Accardo.

Mr. MOSER. Do you recognize Oretta Yelverton?

Mr. VOILER. Yes, I do.

Mr. MOSER. Standing next to Leo Martin?

Mr. VOILER. Yes, sir; I do.

Mr. MOSER. Was she then married to Leo Martin?

Mr. VOILER. I couldn't say that; I don't know. I don't think so.

Mr. MOSER. Is it true that about the time your newspaper began to have financial difficulties a robbery occurred next door to Louis Shafkin's store? Is that true?

Mr. VOILER. Mr. Chairman, I think it is time that the counsel ought to be admonished. These questions are really presumptuous and are trying to—I don't know what the counsel is trying to bring out, whether there was a robbery next door to Louis Shafkin's—was it any concern of mine?

Mr. MOSER. That is all I want to ask.

The CHAIRMAN. You are excused.

Mr. VOILER. Mr. Chairman, am I excused? Can I go home or do you want me to remain here?

The CHAIRMAN. You are still under subpoena, but you are excused at this time.

Mr. VOILER. I can go home then?

The CHAIRMAN. Yes, sir.

(Witness excused.)

TESTIMONY OF MRS. OREETA YELVERTON ACCARDO CARROLL, MIAMI, FLA.

The CHAIRMAN. The Chair desires to make a statement in connection with the next witness. It is respectfully requested that the cameras not be placed on the witness and that her picture not be taken.

Will the witness kindly advance, please?

Do you solemnly swear before Almighty God that the testimony you will give this committee will be the truth, the whole truth, and nothing but the truth?

Mrs. CARROLL. I do.

The CHAIRMAN. Mrs. Carroll, you are assured that no pictures will be taken. Your full name, please?

Mrs. CARROLL. Oretta Yelverton Carroll.

The CHAIRMAN. And your address, please?

Mrs. CARROLL. 7235 Southwest Thirty-ninth Terrace, Miami, Fla.

The CHAIRMAN. Will you be good enough to keep your voice up so that we may all hear you, please? Mrs. Carroll, you understand that the television cameras will not show you at all?

Mrs. CARROLL. How about the newsreel?

The CHAIRMAN. The newsreel camera will not be on you. Is that understood? It is understood. Mr. Moser?

Mr. MOSER. You were formerly married to Martin Leo Accardo; were you not?

Mrs. CARROLL. Yes, sir; I was.

Mr. MOSER. Does he also go under the name of Leo Martin?

Mrs. CARROLL. At times I think he does.

Mr. MOSER. When were you married to him?

Mrs. CARROLL. 1944.

Mr. MOSER. Where did you work at the time you were married to him?

Mrs. CARROLL. I was working at the club he bought in Cicero. In fact, that is how I met him.

Mr. MOSER. The Circle Club?

Mrs. CARROLL. That's right.

Mr. MOSER. What is the address of the Circle Club?

Mrs. CARROLL. 5534 West Surmac Road.

Mr. MOSER. In Chicago?

Mrs. CARROLL. In Cicero, Ill.

Mr. MOSER. When you were married to him what was his business—running the club?

Mrs. CARROLL. Yes.

Mr. MOSER. Will you tell us some of the people that frequented that club? If I name some to you will you tell me whether they were there? Louis "Little New York" Campagna?

Mrs. CARROLL. I would rather not answer those questions.

Mr. MOSER. You would rather not say whether they were there?

Mrs. CARROLL. No.

Mr. RICE. Did you say they were not?

Mrs. CARROLL. I didn't say, Mr. Rice. I said I would rather not answer that.

Mr. MOSER. What was the nature of the business that was being conducted at that place?

Mrs. CARROLL. Well, you mean—you want me to describe the place?

Mr. MOSER. Describe it and tell what went on.

Mrs. CARROLL. In the front it was a cocktail lounge, and in the back it was a gambling room. They bet horses. A bookie place, I suppose it is called.

Mr. MOSER. It was a bookie place and gambling room?

Mrs. CARROLL. Yes; that's right.

Mr. MOSER. But you would rather not state who the people were who came and went there?

Mrs. CARROLL. Well, if you care to name some, I could answer it that way, but I don't care to mention them.

Mr. MOSER. I will name some. Jake Guzik, Tony Accardo, Martin Accardo, Joe Fischetti, Rocco Fischetti, Matthew Coppini, Tony Consentino. Do you want to say whether any of them were there?

Mrs. CARROLL. All of them.

Mr. MOSER. What was Martin Accardo's income at that time?

Mrs. CARROLL. You mean the amount?

Mr. MOSER. Yes.

Mrs. CARROLL. I couldn't tell you that. His income-tax returns showed a total income of \$600 a month at that time. That is the only reported income.

Mr. MOSER. Was that income actually received by him?

Mrs. CARROLL. Well, that income wasn't in connection with the club.

Mr. MOSER. Not in connection with the club?

Mrs. CARROLL. No; that was another job.

Mr. MOSER. Did he have income from the club?

Mrs. CARROLL. Yes, sir.

Mr. MOSER. He did?

Mrs. CARROLL. Yes, sir.

Mr. MOSER. What is the O. K. Motors, Inc.?

Mrs. CARROLL. That is what he was paying \$600 a month income tax on.

Mr. MOSER. Did he receive money from that company?

Mrs. CARROLL. Well, he is supposed to have been a road supervisor for that company, I believe, for the last 6 or 7 years.

Mr. MOSER. A road supervisor. Did he do any work for the company?

Mrs. CARROLL. Not to my knowledge.

Mr. MOSER. He had no duties with the company?

Mrs. CARROLL. No.

Mr. MOSER. But he received \$600 a month from it?

Mrs. CARROLL. Yes, sir.

Mr. MOSER. Did he pay \$600 back to it?

Mrs. CARROLL. Yes.

Mr. MOSER. Did he pay that in cash?

Mrs. CARROLL. Yes.

Mr. MOSER. But he had income from the club, but he did not report it in his income tax return. I am not asking you that; but that is the fact. In whose name was the club carried?

Mrs. CARROLL. It was in my name.

Mr. MOSER. The title was in your name?

Mrs. CARROLL. That's right. What it is now I don't know.

Mr. MOSER. When did you move to Miami?

Mrs. CARROLL. In 1946.

Mr. MOSER. Where do you live in Miami?

Mrs. CARROLL. Where I live now?

Mr. MOSER. Do you live in Coral Gables?

Mrs. CARROLL. I did.

Mr. MOSER. Where is Martin Accardo living?

Mrs. CARROLL. At the present time I believe he is in Coral Gables.

Mr. MOSER. In what title is that property?

Mrs. CARROLL. In his name now.

Mr. MOSER. In whose name was it last week?

Mrs. CARROLL. His.

Mr. MOSER. Was it ever in your name?

Mrs. CARROLL. Oh, yes.

Mr. MOSER. It was at one time?

Mrs. CARROLL. Yes.

Mr. MOSER. How much did it cost?

Mrs. CARROLL. \$46,000.

Mr. MOSER. \$46,000; and the telephone in that place is registered in the name of Leo Martin; is that correct?

Mrs. CARROLL. I believe it is; yes, sir.

Mr. MOSER. Did Martin Accardo invest any money in the newspaper that was owned by Mr. Voiler?

Mrs. CARROLL. Yes, he did.

Mr. MOSER. How much did he invest?

Mrs. CARROLL. Well, it was—he gave him different sums at different times.

Mr. MOSER. When did he start giving them to him?

Mrs. CARROLL. Well, I knew about it about 2 or 3 days before the newspaper opened, and at that time he had already given \$50,000.

Mr. MOSER. He had given 50,000 before it opened?

Mrs. CARROLL. That's right.

Mr. MOSER. Did he give him more after that?

Mrs. CARROLL. Yes; he did.

Mr. MOSER. He finally gave him a total of how much?

Mrs. CARROLL. Well, when I stopped keeping track of it, it was close to \$100,000. And his agreement, I think, between he and Mr. Voiler, was \$125,000.

Mr. MOSER. He had agreed to give the Oliver Publishing Co. \$125,000, and he actually gave it; did he?

Mrs. CARROLL. Yes, sir. I know that he gave approximately \$100,000.

The CHAIRMAN. Is the man to whom you refer the man who just left the stand?

Mrs. CARROLL. Mr. Harry Voiler.

The CHAIRMAN. And he actually received it?

Mrs. CARROLL. Yes, sir.

Mr. MOSER. In what form was it given?

Mrs. CARROLL. Cash.

Mr. MOSER. All given in cash?

Mrs. CARROLL. Yes.

Mr. MOSER. What consideration did Martin Accardo get for putting up that money?

Mrs. CARROLL. That piece of paper you just presented as evidence.

Mr. MOSER. This promissory note, dated January 31, 1950, was security for that money?

Mrs. CARROLL. That's right.

Mr. MOSER. Did Martin Accardo get any other promises from the Oliver Publishing Corp. or from Mr. Vailer; any other promises?

Mrs. CARROLL. Well, no, except I think their agreement, to begin with, was that he was only to invest \$50,000 and he would be half owner of the paper. Of course, \$50,000 didn't last very long after it opened. I remember the incident of the Linotype machines that he mentioned that he bought and borrowed money for. I remember Mr. Accardo giving him money for those and, on several occasions, for the payroll. In fact, everything from the time that the paper opened, including the \$50,000 that he had given him previous to the opening, was paid by Mr. Accardo, up to the date of the closing of the paper.

Mr. MOSER. Has he received any of it back?

Mrs. CARROLL. No, sir; not to my knowledge he hasn't.

Mr. MOSER. Is Martin Accardo the brother of Tony Accardo?

Mrs. CARROLL. Yes; he is.

Mr. MOSER. Did Martin Accardo get any promise from Mr. Vailer as to what the editorial policy and the news-reporting policy of the paper would be?

Mrs. CARROLL. I can't tell you that either. The only time that I brought up the subject, I think, was when Frank Costello was here, and I suppose everyone remembers the editorial that Mr. Vailer gave him at that time. And I happened to mention it to him, and he evaded the subject altogether, in a nice way, but he didn't care to discuss it at all.

Mr. MOSER. He did not tell you?

Mrs. CARROLL. No. I mentioned that I thought it was very foolish. I never heard Mr. Accardo discuss the editorial at all.

Mr. MOSER. That was an editorial of January 26, 1950, entitled "Who's the Bogyman"?

Mrs. CARROLL. I don't remember exactly. I remember he was welcoming Frank Costello to our sunshine, our fair city. I don't remember the rest of the editorial.

Mr. MOSER. Could you identify the editorial if I showed you a copy of it?

Mrs. CARROLL. Yes; oh, yes. [Witness handed document] That is it.

Mr. MOSER. Why did you object to that favorable publicity of Costello?

Mrs. CARROLL. Well, after all, a newspaper, regardless of the intentions—I don't know exactly what Mr. Accardo's intentions were of

getting involved in a thing like that, to begin with; but I have two small children, and any sort of publicity of any kind naturally reflects upon them. And at the beginning I had no idea of who Mr. Voiler was or what his policy was or his ideas; but it didn't take me long to find out; so, naturally, I would ask about it.

Mr. MOSER. You say you found out what Mr. Voiler's policies were; how would you describe them?

Mrs. CARROLL. As I am not a newspaperman, it would be hard to describe. I don't know what his policies were. He was in favor of gambling. He seemed so underhanded about everything he did. I couldn't help but overhear conversations between people who would visit him. I was in the office many times and overheard telephone conversations about people he associated with.

Mr. MOSER. In these conversations, did they say anything about the policy of the paper as being in support of gangsters?

Mrs. CARROLL. Everything indicated it was such.

Mr. MOSER. Did they indicate that Martin Accardo had taken any interest in the paper for the purpose of controlling it or with the hope of controlling it?

Mrs. CARROLL. No, sir; I can't say that.

Mr. MOSER. Did they indicate that—

Mrs. CARROLL. Martin Accardo—I want to say this: Never at any time Mr. Voiler ran that paper Mr. Accardo had nothing to say about it. He was putting up the money for it, and that is the impression that I received. In fact, to my knowledge, Mr. Accardo never even saw the books or anything else.

Mr. MOSER. In these discussions that they had with regard to the paper, was anything said to the effect that they wanted to have a paper that could give race-wire news?

Mrs. CARROLL. I know Mr. Voiler was trying very hard at that time to get the support—well, have Tony Accardo, for one, because he talked to me about it.

Mr. MOSER. What did he say about Tony Accardo?

Mrs. CARROLL. He wanted me to try to get Tony Accardo to help him with the news, the movie theaters, for one, and with night-club advertisements here in Miami. He wasn't able to get as much advertisement as he had planned. He explained to me that he was planning on that money to keep the paper going and he wasn't receiving the kind of advertisement he had planned on when he opened.

Mr. MOSER. So he asked you to get Tony Accardo to put pressure on the movie houses; is that right?

Mrs. CARROLL. That's right.

Mr. MOSER. Through what means could he put pressure on the movie houses?

Mrs. CARROLL. It seems that he felt that Tony had the connections that would be able to do that.

Mr. MOSER. That is, he had a connection with the unions?

Mrs. CARROLL. That's right.

Mr. MOSER. The unions that cover the movie houses?

Mrs. CARROLL. That's right.

Mr. MOSER. And he hoped that through these means Tony Accardo could get their advertisements to appear in the Morning Mail?

Mrs. CARROLL. That's right.

Mr. MOSER. Did he indicate at all that he expected to use the paper principally for publication of racing news?

Mrs. CARROLL. Yes; he did. He mentioned he wanted to be able to get that paper out before the News.

Mr. MOSER. Before the Miami News?

Mrs. CARROLL. That's right; before the News. I don't know what time that edition comes out. Anyway, his original plans were this: to beat the News on the street.

Mr. MOSER. Did Mr. Voiler ever ask Tony Accardo to put up any money, as far as you know?

Mrs. CARROLL. To my knowledge he has never met him.

Mr. MOSER. You don't know whether he approached Murray Humphreys for money?

Mrs. CARROLL. I know that he said that he did.

Mr. MOSER. You know that he said that he did?

Mrs. CARROLL. Yes; and I heard it from other places here.

Mr. MOSER. At the time the paper was getting into financial difficulties, did Mr. Voiler come and ask for more money?

Mrs. CARROLL. He didn't have to come and ask for it; Mr. Accardo was there all the time.

Mr. MOSER. Mr. Accardo was at the paper there most of the time?

Mrs. CARROLL. That's right.

Mr. MOSER. Watching the operations?

Mrs. CARROLL. That's right.

Mr. MOSER. Did he have anything to do with the editorial part of it?

Mrs. CARROLL. Nothing whatsoever.

Mr. MOSER. He was just watching the production of the paper?

Mrs. CARROLL. That is about all he did, spend money and watch it, or watch Mr. Voiler spend his money.

Mr. MOSER. And you were worried about the \$125,000?

Mrs. CARROLL. That was money that was supposed to have gone into a trust fund for my children. That is how I found out about the newspaper business in the first place. That was the agreement at the time of the divorce.

Mr. MOSER. It was to be a trust fund for your children?

Mrs. CARROLL. Yes; and when I insisted he make an arrangement for the children he told me what he had done about the available cash. That is when I received that paper.

The CHAIRMAN. One question in regard to that, Mrs. Carroll: You were seated—we observed—on the aisle of the third row while Mr. Voiler was testifying. You heard his testimony regarding that document. Was that document true or false?

Mrs. CARROLL. It was false.

The CHAIRMAN. Was that perjured testimony?

Mrs. CARROLL. Every word of it.

The CHAIRMAN. Thank you.

Mr. MOSER. Mrs. Carroll, you said that this testimony was false; would you state specifically in what regard it was false?

Mrs. CARROLL. Everything he said in connection with my coming there.

Mr. MOSER. Everything he said with regard to your——

Mrs. CARROLL. In regard to that paper is absolutely false; every word of it.

Mr. MOSER. Is what he said with regard to the places he borrowed money for purposes of financing the paper false?

Mrs. CARROLL. I know it to be false.

Mr. MOSER. You know it to be false?

Mrs. CARROLL. I know it to be false; yes, sir.

Mr. RICE. During what years were you married to Martin Accardo?

Mrs. CARROLL. I married—it was 1944, I think, until 2 years—
Mr. Rice—

Mr. RICE. 1944 until when?

Mrs. CARROLL. Possibly 1944 to 1949.

Mr. RICE. 1948?

Mrs. CARROLL. 1948; I am sorry, I can't remember the dates too well.

Mr. RICE. During the time you were married to Mr. Accardo, were you known as Mrs. Accardo, Mrs. Martin Accardo?

Mrs. CARROLL. Yes.

Mr. RICE. Did you ever go under the name of Mrs. Leo Martin?

Mrs. CARROLL. Never, never.

Mr. RICE. How was Martin Accardo generally known?

Mrs. CARROLL. As Martin Accardo. The only time that I ever have known him to use Leo Martin was when he was traveling or if he didn't want someone to know who he was. His friends never knew him as Leo Martin.

Mr. RICE. When you were with Harry Voiler, the witness who was just here, were you present when he was talking with the Accardos?

Mrs. CARROLL. Yes; he brought them out to my home.

Mr. RICE. What would Voiler call Martin Accardo?

Mrs. CARROLL. He called him Marty when he would introduce him; I will say that out socially when he would introduce him to someone.

Mr. RICE. How would he introduce him?

Mrs. CARROLL. Leo Martin; Mr. Martin.

Mr. RICE. Did you ever hear him call him Accardo to anyone?

Mrs. CARROLL. No.

Mr. RICE. But he knew him as Accardo; did he not?

Mrs. CARROLL. You see, the only times I have been around Mr. Voiler has been at the paper or either if we went out with them socially, when there were other people around that didn't know Mr. Accardo, and he would refer to him as Mr. Martin; but it isn't true that Mr. Voiler doesn't know that Leo Martin is Martin Accardo. He is very familiar with the fact. He lived in Chicago for years. Newspapers have been full of it for years; so, it is impossible that he wouldn't know.

Mr. RICE. During the time that you lived with Martin Accardo did you ever see him have a firearm, a revolver?

Mrs. CARROLL. Yes, sir.

Mr. RICE. Many times?

Mrs. CARROLL. He owned two.

Mr. RICE. He owned two; what did they look like?

Mrs. CARROLL. I don't know the first thing about the guns. One of them was a large one, and the other one was real small.

Mr. RICE. A sort of a hand-arm?

Mrs. CARROLL. Yes; it was a pretty little thing; it had a pearl handle on it, and it was just real short.

Mr. RICE. Did he carry that with him at all times?

Mrs. CARROLL. Yes.

Mr. RICE. Did he carry it with him on many occasions?

Mrs. CARROLL. Yes.

Mr. RICE. He carried it in Florida?

Mrs. CARROLL. Yes.

Mr. RICE. When you traveled with him he carried it?

Mrs. CARROLL. Yes; he had it in the car.

Mr. RICE. What did he do with the other one?

Mrs. CARROLL. When I moved from 1217 Granada he still owned that one.

Mr. RICE. He still owned it when you left him?

Mrs. CARROLL. Yes, sir.

Mr. RICE. Did he ever tell you that he was arrested?

Mrs. CARROLL. After I found out through other sources he told me about his arrest.

Mr. RICE. What did he tell you?

Mrs. CARROLL. Well, I really found out from the Coral Gables Police Department that came out for him to register, and that he told me then he had served 2 years, I believe, in Leavenworth. That was some years before I knew him.

Mr. RICE. He served 2 years in Leavenworth; what was that for?

Mrs. CARROLL. I don't know. It was back during prohibition days. I don't know what the charge was.

Mr. RICE. Mr. Chairman, I have a record of the FBI here, containing the criminal record of Martin Accardo, No. 506,958, indicating an arrest, November 16, 1931, for violation of the Prohibition Act, for which crime he was sentenced to 4½ years and \$1,500 fine. He was thereafter received at the United States Penitentiary, Leavenworth, Kans., where he served 2 years.

The CHAIRMAN. The record will be received in evidence.

(Said document as above identified, received and marked "Exhibit No. 8," and appears in the appendix on p. 228.)

Mr. RICE. Do you know where Martin Accardo was born?

Mrs. CARROLL. Italy.

Mr. RICE. Is he a citizen?

Mrs. CARROLL. I don't—I suppose that he is; I don't know exactly what the laws are on that. He was brought here when he was 2 or 3 years of age, I think. He was just a small baby.

Mr. RICE. During the time Martin Accardo was carrying a revolver here in Miami did he ever register that with the police department, to your knowledge?

Mrs. CARROLL. I have learned this past week that he bought one gun here in Miami and said that he registered it with the department here at the place where he bought it. I think—I am pretty sure that is what he told the court.

Mr. RICE. I have a record here, Mr. Chairman, indicating, that the Department of Public Safety, Division of Police, Miami, Fla., firearms registration, issued a firearms registration certificate No. 13560, on October 31, 1949, registering a revolver of Martin Accardo.

The CHAIRMAN. That will be introduced in evidence.

(Said document above identified received and marked "Exhibit No. 9," and appears in the appendix on p. 228.)

The CHAIRMAN. That concludes the examination. Mrs. Carroll, we think that you are entitled to the thanks of the committee and also Mr. Carroll for your cooperation.

Mrs. CARROLL. I am finished.

The CHAIRMAN. Yes. For the record, Mrs. Carroll, we are obliged to you.

(Witness excused.)

The CHAIRMAN. The suggestion has been made that the record of Harry Voiler, No. 104354 of the United States Department of Justice, Federal Bureau of Investigation, be offered in evidence. It will be received and marked and made a part of the record.

(Said document above identified received and marked "Exhibit No. 10," and appears in the appendix on p. 229.)

The CHAIRMAN. At this time we will take a recess for an hour.

(Adjournment taken to 1:30 p. m. of the same day.)

AFTERNOON SESSION

The CHAIRMAN. The afternoon session will now come to order, please. Prior to the opening of this hearing there has been an exchange of communications between our committee and the office of the Governor of this State, Gov. Fuller Warren. I desire to put into the record the various communications which were passed from the Senate committee, addressed to the Governor, and the replies received to those inquiries, and then to read a statement concerning this situation, as follows:

STATEMENT OF SENATOR O'CONOR RE GOV. FULLER WARREN

This committee has issued several invitations to Gov. Fuller Warren to appear at this hearing for the purpose of aiding the committee in its search for evidence regarding organized crime in interstate commerce. We are now advised that the Governor will not accept the invitation.

We think every public official, especially one occupying the high office of Governor of this State, has a duty to cooperate with the committee when invited to do so. His duty in this regard is even greater than that of a private citizen. This is particularly true when he is the Governor of a State in which illegal activities have been open and widespread—and condoned by local law-enforcement officers whom he has the constitutional power to suspend.

Evidence previously submitted to this committee has shown a clear connection between local gambling activities and national gangster syndicates having their bases of operation in Chicago, New York, and elsewhere outside Florida. These syndicates could not continue to operate without the active connivance of public officials, particularly law-enforcement officials. Sheriffs, who are the chief law-enforcement officials in each county of this State, are ultimately responsible to the Governor. Accordingly it is the opinion of this committee that Governor Warren is obligated not only to the people of his own State but also to the people of this Nation as a whole to give us such information as he may possess regarding any arrangement under which these illegal activities are allowed.

The following are some of the matters on which we would like to obtain information from Governor Warren:

1. Any knowledge of the large contributions made to his 1948 campaign for Governor and whether any of these sums were, to his knowledge, received from gambling interests or gangster syndicates.

2. Whether commitments were made to those making the substantial contributions, regarding tolerance of gambling operations.

3. Whether steps were taken after the election to carry out any such commitments.

4. Whether arrangements were made after the election to permit and control activities of the bookie race wire service coming into Florida.

5. Whether the Governor had any information regarding the relationship between the operation of rackets with an interstate aspect and the conduct of Florida law-enforcement officials subject to the Governor's constitutional powers.

6. What knowledge the Governor may have as to the penetration of Chicago, New York and other out-of-State gangsters into legitimate businesses in Florida.

Our every intention has been to afford the Governor all reasonable opportunity to appear before us. It is a matter of surprise that the Governor of a sovereign State is showing what appears to be indifference to the grave organized and criminal menace posed by the very evident widespread racketeering in Florida. Since much of it is of an interstate character this committee is seeking information upon which to base Federal statutes and procedures to check it. We need and have appealed for the personal assistance of every citizen of this Nation who can assist us in any way. It is our feeling that Governor Warren, as a citizen of the United States, should cooperate.

The statement, therefore, will be admitted as a matter of record and the replies from Governor Warren will be identified as "Exhibit No. 11."

(Exhibit No. 11 appears in the appendix on p. 229.)

I also want to make one other announcement on another matter. It is customary for the committee to announce that any person whose name is mentioned in connection with any testimony and who desires to reply or to make any comment concerning it, shall be afforded the opportunity to do so at the earliest possible time. If any individual, whose name may have been mentioned this morning in the testimony or whose name may be mentioned during the course of the proceedings, will make that known to counsel or to the staff of the committee, we will be very glad to afford that person the opportunity of making any reply or response in the event he or she may feel aggrieved. All right, Mr. Moser.

MR. MOSER. The next witness is a drug addict. We are calling her under very restricted circumstances. It has been agreed that her name will not be revealed. Her identity will not be revealed. No pictures of her will be taken, and the television will not be directed toward her under any circumstances.

Now, it is understood; the television people understand that; the radio may stay on; but no pictures of any kind, under any circumstances, will be taken. The girl's name will not be revealed, and anybody in the press who knows her name and her identity must leave the room unless he or she agrees right now that he will not reveal her identity to anyone under any circumstances. Any member of the press who stays in the room is subject to that condition and is bound by it.

I might also say that this girl has volunteered to give this testimony as a matter of public service, and I think we should all abide by these commitments as a matter of gratitude to her.

While we are waiting for her to come I should state a few of the terms used by drug addicts so that her testimony will be more easily understood. One term is "hooked." It is a term used by drug addicts who have become addicted and have to have the drug as a matter of compulsion.

THE CHAIRMAN. Do you before Almighty God swear that the testimony you will give this committee will be the truth, the whole truth and nothing but the truth, so help you God?

THE WITNESS. I do.

Mr. Moser. There are two kinds of drugs involved in this testimony. One of them is marijuana and the other one is heroin. I think I will just go ahead with the testimony and if any terms are used that may require explanation I will describe them in time.

Will the bailiff please supply the name and address of the witness so that it will not be revealed?

(The name of the witness was supplied to the committee.)

TESTIMONY OF DRUG ADDICT "A"

Mr. Moser. Will you please state your age?

The WITNESS. 27.

Mr. Moser. Have you been married and divorced?

The WITNESS. Yes, sir.

Mr. Moser. Have you used any marijuana?

The WITNESS. Yes, sir.

Mr. Moser. How long ago did you start using marijuana?

The WITNESS. About 7 years ago.

Mr. Moser. About 7 years ago?

The WITNESS. Yes, sir.

Mr. Moser. Were other people you knew using it?

The WITNESS. Yes, sir.

Mr. Moser. Was it quite commonly used among your circle of friends?

The WITNESS. Some of them.

Mr. Moser. Some, but not a great many?

The WITNESS. I have quite a few that did it also.

Mr. Moser. Do you know where the marijuana came from?

The WITNESS. We purchased it in Miami. I believe it originally came from South America.

Mr. Moser. You believe it came from South America?

The WITNESS. Yes, sir.

Mr. Moser. By what route?

The WITNESS. I imagine by boat.

Mr. Moser. By boat?

The WITNESS. Yes, sir.

Mr. Moser. How did you buy it; did you buy it from peddlers?

The WITNESS. Yes, by the ounce.

Mr. Moser. You knew who they were and you knew where to go for it?

The WITNESS. Yes; I always knew.

Mr. Moser. Were they hard to find?

The WITNESS. Hard except for someone they knew.

Mr. Moser. That is, you had to know them?

The WITNESS. I had to know them.

Mr. Moser. Were there quite a few of them available?

The WITNESS. Never more than a few at a time.

Mr. Moser. Did they change often?

The WITNESS. Yes, sir; they changed often.

Mr. Moser. How did you find out who the new one was when they changed?

The WITNESS. By the grapevine, I guess.

Mr. Moser. By the grapevine?

The WITNESS. Yes; by the grapevine.

Mr. MOSER. Other addicts knew?

The WITNESS. Yes, sir.

Mr. MOSER. Did you move on from marijuana to heroin at a later date?

The WITNESS. Yes; about 4 years later, four or five.

Mr. MOSER. You would say that marijuana is a stepping stone to heroin addiction?

The WITNESS. Not exactly; but it does give you a step into the underworld, where you can make connections with other sort of narcotics.

Mr. MOSER. So that once you use marijuana you meet other underworld characters who put you in contact with marijuana?

The WITNESS. It does; but it does not in itself produce it.

Mr. MOSER. How did you start using heroin?

The WITNESS. I was drinking, and I was with some acquaintances, and they went somewhere to use heroin, and I went along with them.

Mr. MOSER. And you tried it because they did?

The WITNESS. Yes; I didn't let any of them know I had it before.

Mr. MOSER. You pretended that you already knew about it?

The WITNESS. Yes.

Mr. MOSER. Did you know that if you started using heroin you might become "hooked"?

The WITNESS. I had heard of it, but no one really knows the danger unless they had been part of it.

Mr. MOSER. Do you think that if it were impressed on them, if the danger of drugs were impressed upon the public, they would stay away from the drugs?

The WITNESS. I hope so.

Mr. MOSER. Do you know where the heroin came from that you started with?

The WITNESS. I believe it was originally from Chicago.

Mr. MOSER. Was it bought from a peddler here?

The WITNESS. I think that it was sent through the mails to someone here. I never met the actual confederate.

Mr. MOSER. You started using heroin, and how long was it before you were "hooked"?

The WITNESS. I really don't know. I didn't realize it until a couple of months, until I became sick. I always attributed my illness to something else, until after a couple of months.

Mr. MOSER. You were ill, and you thought you were ill for other reasons?

The WITNESS. Yes, sir.

Mr. MOSER. How did you know you were "hooked" finally?

The WITNESS. I don't know. It finally sinks in that that is what it is.

Mr. MOSER. You say you were sick; did you find that after you had taken heroin a little while eventually you found you were sick unless you had it?

The WITNESS. Yes; that's right.

Mr. MOSER. And that is the usual effect of heroin addiction?

The WITNESS. That is always the effect. You are always ill. There is a craving along with the pain.

Mr. MOSER. There is a craving along with the pain?

The WITNESS. Yes; it is stronger than hunger.

Mr. MOSER. And if you don't have it you feel sick?

The WITNESS. Very sick.

Mr. MOSER. So you have to find it?

The WITNESS. Yes, sir.

Mr. MOSER. Did you ever go to other cities to get heroin?

The WITNESS. I got it in other cities, when I would be in other cities, and wherever I was I would have to have it.

Mr. MOSER. You traveled around to get it?

The WITNESS. I didn't travel for that purpose, but I would go for a vacation and, naturally, when I was there I had to get it.

Mr. MOSER. Did you have difficulty finding it?

The WITNESS. Not in any of the big cities.

Mr. MOSER. Tell us some of the cities; did you go to Washington?

The WITNESS. No; I never went to Washington.

Mr. MOSER. Did you go to New York?

The WITNESS. Yes.

Mr. MOSER. Did you go to Philadelphia?

The WITNESS. Yes, sir; to Philadelphia.

Mr. MOSER. Did you find it hard to get there?

The WITNESS. Not in New York. In Philadelphia it was; but it was available.

Mr. MOSER. How much did it cost in New York?

The WITNESS. Less than 50 cents per capsule.

Mr. MOSER. I think that I should explain that a capsule means a small quantity in which heroin is sold.

How much was it in Philadelphia?

The WITNESS. It was \$3 for the same amount.

Mr. MOSER. How do you account for the enormous difference?

The WITNESS. There aren't as many addicts in Philadelphia.

Mr. MOSER. Did you ever buy it in Chicago?

The WITNESS. No; I never was in Chicago.

Mr. MOSER. In what other cities did you get it?

The WITNESS. Miami, of course.

Mr. MOSER. Miami?

The WITNESS. Yes.

Mr. MOSER. Do you know where the heroin came from that you purchased here in Miami?

The WITNESS. It was always either from New York or Washington or Chicago or Philadelphia.

Mr. MOSER. Was it always shipped in here?

The WITNESS. Yes, sir; through the mails, I believe.

Mr. MOSER. From Washington, New York, Philadelphia, and Chicago?

The WITNESS. That's right.

Mr. MOSER. When you got to the height of your habit how much were you spending a day for heroin?

The WITNESS. I couldn't say exactly. It was a tremendous amount. I spent whatever I could manage to get, beg, or borrow.

Mr. MOSER. Whatever money you had you spent for that?

The WITNESS. Yes.

Mr. MOSER. Can you tell us approximately how much it was, on the average?

The WITNESS. Well, it was anywhere between \$20 and \$50 a day, I imagine.

Mr. MOSER. Between \$20 and \$50 a day?

The WITNESS. Yes.

Mr. MOSER. How long did that go on?

The WITNESS. Until I was arrested.

Mr. MOSER. Until you were arrested?

The WITNESS. Yes, sir.

Mr. MOSER. Over how long a period did you spend from \$20 to \$50 a day for it?

The WITNESS. About a year.

Mr. MOSER. About a year?

The WITNESS. Yes, sir.

Mr. MOSER. When you needed money for heroin, where did you go for it?

The WITNESS. I was working two jobs, and I would borrow it, and sometimes I would get it at a cheaper price, since I used a lot; and then I would resell it to friends who didn't use so much, for a higher price.

Mr. MOSER. Some you got by borrowing and some from your job?

The WITNESS. Most of it was from my two jobs.

Mr. MOSER. Most of it was from your two jobs?

The WITNESS. Yes, sir.

Mr. MOSER. And some you got by buying it at a lower price and reselling it to your friends at a higher price?

The WITNESS. Yes; who didn't use so much of it.

Mr. MOSER. Did you find that the use of heroin interfered with your work, with your jobs?

The WITNESS. Only when I didn't have it.

Mr. MOSER. When you didn't have it, you didn't—

The WITNESS. Then I would be forced to save the rest until I would be well.

Mr. MOSER. So you were irregular at your work then, at least in your efficiency?

The WITNESS. I would force myself to do the work that had to be done and save the rest for when I had it. I don't know whether it showed or not, because I would eventually catch up on it, because I would always go in one day and have enough that I could do it on.

Mr. MOSER. Did the quality of the heroin vary?

The WITNESS. Yes.

Mr. MOSER. It varied quite a great deal?

The WITNESS. Yes; it did.

Mr. MOSER. The peddlers were cutting it?

The WITNESS. Yes; they always cut it. It depended on how many hands it got in before it got to you.

Mr. MOSER. I should explain here that heroin comes in concentrated form, and each confederate that gets it cuts it down, dilutes it by mixing it with powdered sugar so that when it gets to the addict it comes in a very diluted form. As a result of this, the addict pays a very high price for a very diluted form; is that correct?

The WITNESS. Yes, sir.

Mr. MOSER. Did your desire for heroin ever drive you to crime?

THE WITNESS. Yes, sir; but it wasn't the heroin itself but the fact that I couldn't get it.

MR. MOSER. You couldn't get it and you needed money to buy it?

THE WITNESS. Yes.

MR. MOSER. In order to get money you had to turn to the committing of crimes?

THE WITNESS. Yes, sir.

MR. MOSER. What kind of crimes did you commit, more than one?

THE WITNESS. No.

MR. MOSER. Just one?

THE WITNESS. Yes, sir.

MR. MOSER. You got caught the first time?

THE WITNESS. Yes, sir.

MR. MOSER. Would you mind telling us what the crime was?

THE WITNESS. I stole something.

MR. MOSER. You stole something?

THE WITNESS. Yes, drugs.

MR. MOSER. You stole drugs?

THE WITNESS. Yes, sir.

MR. MOSER. From a drug store?

THE WITNESS. Yes, sir.

MR. MOSER. You were with somebody else at the same time; the two of you did it together? You don't have to name them.

THE WITNESS. Yes.

MR. MOSER. Two of you did it together?

THE WITNESS. Yes.

MR. MOSER. Do you know any other addicts in Florida?

THE WITNESS. Yes, sir; I know quite a few.

MR. MOSER. How many do you think are around here or can't you guess?

THE WITNESS. Well, I really couldn't say, as far as local people are concerned.

MR. MOSER. Did you ever try to overcome your habit voluntarily?

THE WITNESS. Yes, sir; I once went to a sanitarium.

MR. MOSER. You went to a sanitarium?

THE WITNESS. Yes, sir.

MR. MOSER. In what city?

THE WITNESS. In Miami.

MR. MOSER. In Miami; was that expensive?

THE WITNESS. Was that expensive?

MR. MOSER. Yes.

THE WITNESS. Extremely expensive.

MR. MOSER. How much did you have to pay?

THE WITNESS. Oh, I believe it was about \$300 a week, or something.

MR. MOSER. \$300 a week. What did they do for you?

THE WITNESS. Very gradual reduction over a long period of time; but I finally left before the cure had been effected.

MR. MOSER. You left voluntarily?

THE WITNESS. After 5 weeks, yes, sir, because they still hadn't stopped me.

MR. MOSER. In other words, they gave you a treatment consisting of the drugs in constantly reduced quantities; is that right?

THE WITNESS. Yes, sir.

Mr. MOSER. But it was a little too slow, and you left?

The WITNESS. That's right.

Mr. MOSER. You left because you felt that they couldn't finish the treatment?

The WITNESS. Yes. It was taking too long and it was much too expensive.

Mr. MOSER. And you felt you weren't accomplishing your objective?

The WITNESS. That's right.

Mr. MOSER. Do you feel that the addiction to drugs is something that other people should avoid?

The WITNESS. Oh, very much so; yes, sir.

Mr. MOSER. Would you like to state how strongly you feel about that?

The WITNESS. It is the most miserable life you can possibly imagine.

Mr. MOSER. It is the most miserable life you can imagine?

The WITNESS. Yes, sir.

Mr. MOSER. Do you think that if other people knew that, they would stay away?

The WITNESS. I hope so; but I don't know.

Mr. MOSER. Thank you very much. We appreciate your testimony very much.

(Witness excused.)

TESTIMONY OF LEE MASON, MIAMI, FLA.

The CHAIRMAN. Will you raise your right hand, please? Do you swear before Almighty God that the testimony you will give will be the truth, the whole truth, and nothing but the truth?

Mr. MASON. I do.

The CHAIRMAN. Your full name, please?

Mr. MASON. Lee Mason.

The CHAIRMAN. What is your address?

Mr. MASON. 866 Northeast Seventy-second Street, Miami, Fla.

The CHAIRMAN. Thank you very much. Could I ask you to keep up at that rate and keep your voice up so that it is clear and very distinct? We will be obliged.

Mr. RICE. How do you make your livelihood, sir?

Mr. MASON. Radio commentator, broadcasting, writing and lecturing, sales promotion.

Mr. RICE. Now, sir, are you known by any other name than Lee Mason?

Mr. MASON. No, no; Lee Mason is my legal name.

Mr. RICE. Where were you born?

Mr. MASON. Chicago, Ill., August 9, 1895.

Mr. RICE. What are the names of your parents?

Mr. MASON. My parents?

Mr. RICE. Yes.

Mr. MASON. What parents; which parents?

Mr. RICE. What are their names?

Mr. MASON. My father was Charles Friedlander. My mother was Fanny Lee Mason Levy.

Mr. RICE. And she married Charles Friedlander?

Mr. MASON. And my name was Phillip Lee Mason Friedlander. Subsequently when I came here 14 or 15 years ago and had been living here about 2 years, my name was changed by order of the Dade County Court to Lee Mason.

Mr. RICE. When you lived in Chicago what was your name?

Mr. MASON. Phillip Lee Mason Friedlander, same as here. I worked here as Phil Friedlander.

Mr. RICE. What was your occupation when you were in Chicago?

Mr. MASON. Radio broadcasting.

Mr. RICE. In connection with what programs, Mr. Mason?

Mr. MASON. Well, I have had several various well-known programs. I was with WCFL and WBBM.

Mr. RICE. These were programs of your own?

Mr. MASON. All of my programs are my own. I have been in the business for 30 years.

Mr. RICE. Did you have a program known as Voice of the Air?

Mr. MASON. Voice of the Air was a program; the Voice of the Air was a signature.

Mr. RICE. Were you the Voice of the Air?

Mr. MASON. Yes, sir; I am the Voice of the Air.

Mr. RICE. On what station was that?

Mr. MASON. WBBM and WCFL. I did the fair for 2 years, 1933 and 1934, Viewing the Fair with the Voice of the Air.

Mr. RICE. What are you doing today? By whom are you employed?

Mr. MASON. I am self-employed and have been for a number of years.

Mr. MOSER. Are you connected with any stations here?

Mr. MASON. No, sir. I am self-employed.

Mr. RICE. What did you do in your self-employment?

Mr. MASON. My self-employment—I do mostly sales promotion. In other words, I devise the program, go to you, and if you are in business, I try to sell it to you, put it on the station.

Mr. RICE. Do you do that occasionally?

Mr. MASON. Yes.

Mr. RICE. Have you done any of that recently?

Mr. MASON. Well, not within the past few months. I have been very ill, as you probably know.

Mr. RICE. Do you have any recollection of what your last program was over the air, over what station?

Mr. MASON. The last program that I had over the air, I believe was over WINZ, and it was a night show, commentary.

Mr. RICE. It was a night show and you were the commentator?

Mr. MASON. Yes.

Mr. RICE. Do you have victrola records along with your program; is it a disk-jockey set-up?

Mr. MASON. Presumably a disk-jockey set-up, but I use very few records.

Mr. RICE. And you comment part of the time on what matters?

Mr. MASON. Well, generally a program of that type is dependent upon the audience. Whatever the audience calls in those are the things you comment on.

Mr. RICE. Were these sponsored shows with advertisements?

Mr. MASON. Most of them, mine in particular, sell what are known as spot announcements. In other words, no one sponsors the entire show.

Mr. RICE. If you didn't have a spot announcement, what would you talk about?

Mr. MASON. Well, as I said before, general news, news of the day, or whatever was telephoned in, the idea being on those shows to attract the public by getting the public to call you and then arguing with the public.

Mr. RICE. Then the argument with the public would be your opinion about current events; is that the idea?

Mr. MASON. Yes.

Mr. RICE. Would you discuss law-enforcement matters from time to time with people who called in?

Mr. MASON. Well, in a small way I am considered more or less of an authority on law-enforcement matters. For 15 years I did a program known as Criminal Court Notes.

Mr. RICE. What?

Mr. MASON. Criminal Court Notes.

Mr. RICE. You say you are an authority on criminal matters?

Mr. MASON. In a small way.

Mr. RICE. How did you establish your rating as an authority on criminal matters?

Mr. MASON. By very keen study.

Mr. RICE. Very keen study; by first-hand knowledge?

Mr. MASON. I am sorry, you will have to explain what you mean by "first-hand knowledge."

Mr. RICE. Did you ever do any research in jail?

Mr. MASON. I am afraid not.

Mr. RICE. Have you ever been in jail?

Mr. MASON. Have I ever been in jail?

Mr. RICE. Yes.

Mr. MASON. Yes, sir.

Mr. RICE. What was that for?

Mr. MASON. In connection with a divorce action about 35 years ago.

Mr. RICE. Where was that?

Mr. MASON. In Chicago.

Mr. RICE. In Chicago?

Mr. MASON. Yes.

Mr. RICE. You went to jail in connection with that?

Mr. MASON. I was held on what was known as a writ of ne exeat for a short period of time. Is that what you mean?

Mr. RICE. That means "don't leave"?

Mr. MASON. Don't leave the State; yes, sir.

Mr. RICE. Were you ever held in jail on any other occasion?

Mr. MASON. No.

Mr. RICE. Did you ever serve any time for any other violation?

Mr. MASON. Never for any crime.

Mr. RICE. Have you ever been arrested at any time, at any other time?

Mr. MASON. Yes; I have been arrested.

Mr. RICE. What were they for?

Mr. MASON. I was arrested for speeding here about 8 or 9 months ago.

Mr. RICE. Anything else?

Mr. MASON. Within the last 5 years; no, sir.

Mr. RICE. Were you ever arrested in Chicago for anything else?

Mr. MASON. Yes, sir.

Mr. RICE. What were they?

(No response.)

Mr. RICE. What were those things you were arrested for?

Mr. MASON. Well, I am sorry, I was arrested for disorderly conduct.

Mr. RICE. I beg your pardon?

Mr. MASON. I was arrested for disorderly conduct, and I was arrested in connection with a brokerage firm 30 years ago or somewhere in there called the H. B. Arthur Co.

Mr. RICE. What was the trouble then?

Mr. MASON. It wasn't my firm, it was my brother's firm, and I came here from New York trying to assist my brother, and wound up by getting myself in some difficulties. I was indicted and was never tried.

Mr. RICE. What was the reason for the arrest; what did they charge you with?

Mr. MASON. Well, now, I am very fair to tell you that I don't remember now. I know that they tried my brother and the case was reversed by the Supreme Court, and no other cases were tried.

Mr. RICE. What was the charge, if you recall; you are a criminologist, I believe you said?

Mr. MASON. I didn't say I was a criminologist. Those are your words, not mine.

Mr. RICE. What was the name of your program?

Mr. MASON. Criminal Court Notes. It was a digest of the doings of the criminal court day by day, with a rundown on the testimony and evidence.

Mr. RICE. In what area?

Mr. MASON. Sir?

Mr. RICE. Was that here in this area?

Mr. MASON. No; in Chicago.

Mr. RICE. In Chicago?

Mr. MASON. Yes.

Mr. RICE. And your program was Criminal Court Notes?

Mr. MASON. Yes, sir.

Mr. RICE. What did that program talk about?

Mr. MASON. The doings of the criminal court day by day.

Mr. RICE. Just a factual report?

Mr. MASON. A factual report; yes, sir.

Mr. RICE. Did you have any opinion about the cases that came before the court?

Mr. MASON. Well, I don't think it is possible for anybody to go into anything like that without having some opinions, but of course you, as an attorney, know that you are guided and bound in your opinions by certain rules of the court, and any comments you might make as to opinion would have to be after a case closed. I might say that the record will show that every judge of the criminal cir-

cuit and municipal courts of the city of Chicago attended my banquet when I left and commented on the program, commended it.

Mr. RICE. Let me ask you this: Did you appear on WCFL in Chicago?

Mr. MASON. That's right.

Mr. RICE. Was your sponsor the A. J. Canfield Beverage Co.?

Mr. MASON. That's right.

Mr. RICE. Let me read you something, and I don't vouch for the accuracy of it or the authenticity of it, and I would appreciate your comment after I read it to you:

Phil Friedlander, who had the title of "Voice of the Air," which was conferred on him during the period 1934 to 1938, when he was broadcasting a program for Station WCFL in Chicago. He was sponsored for a time by A. J. Canfield Beverage Co., and the programs were made up daily in the public interest. According to Sgt. John Martin, Friedlander was discharged by the station because he injected personal opinions which were not based on fact. Friedlander was discharged by the radio station because he would not confine his broadcast to the script; instead he injected his personal opinions, which were usually colorful, but were not based on fact.

Mr. MASON. Well, I am sorry, that isn't so.

Mr. RICE. No?

Mr. MASON. The record will show that the Canfield broadcast was renewed, twice renewed, and I think three times renewed, and, furthermore, following the Canfield broadcast the Voice of the Air was used for the Chicago Elevated Co. on a broadcast of the World Fair in 1934.

Mr. RICE. Yes, sir. Now, we have talked a little bit about radio matters here; do you have any other line of business; for instance, do you write a column or a periodical?

Mr. MASON. Yes, sir.

Mr. RICE. What is that?

Mr. MASON. I write a column called Mason at Midnight.

Mr. RICE. Where does that column appear?

Mr. MASON. It is in Miami Life.

Mr. RICE. What is that?

Mr. MASON. Miami Life is a weekly publication.

Mr. RICE. Who is the owner or publisher of that?

Mr. MASON. Reubin Clein.

Mr. RICE. What are your arrangements with Miami Life?

Mr. MASON. Well, they are rather tenuous arrangements. I don't know what you mean by "arrangements." Reubin Clein happens to be an acquaintance of mine ever since I have been in Miami but—

Mr. RICE. Are you paid on a weekly salary basis, so much per word, or so much per column, or what?

Mr. MASON. I am paid on a very, very loose basis, sir. In other words, Reubin has been unable to pay anybody anything.

Mr. RICE. Let us tighten up this loose thing and see what was the basis or what was supposed to be the basis.

Mr. MASON. The basis supposedly was that I was going to handle the cafe advertising on the paper and instead of getting paid from the columns to take my money from the commissions from the advertising; but Reubin has been in financial difficulties for quite some while. It hasn't amounted to much. I haven't asked him for an accounting. I have gone ahead and done the column.

Mr. RICE. Have you received any money recently?

Mr. MASON. No.

Mr. RICE. When was the last time you received any money?

Mr. MASON. Around the first of the year.

Mr. RICE. It seems to me I read the Miami Life 2 or 3 weeks ago, and again last week, and you had a column under your byline; are you doing that gratuitously?

(No response.)

Mr. RICE. I didn't hear your answer.

Mr. MASON. I didn't have an opportunity to answer. I thought you were paying attention to the Senator and I wanted to give you an opportunity to hear me. If I may, may I ask counsel if it is counsel's purpose to determine whether or not I do things gratuitously?

Mr. RICE. No; I want to know whether you were on a salary, et cetera.

Mr. MASON. I told you the arrangement by which it was, and I told you I had received no money since January 1 or thereabouts; I wouldn't swear to that. That being the case, Counsel, I am testifying under oath—

Mr. RICE. All right, sir; do you do any reporting for Miami Life other than your column?

Mr. MASON. None whatever. The only thing I have done from time to time is do what is known as leg work.

Mr. RICE. Advertising and soliciting?

Mr. MASON. No, no, no; you were speaking editorially. I am speaking of leg work. The leg man is the man who gets the facts and brings them in. He has nothing to do with the writing of the story.

Mr. RICE. What do you do with the facts when you bring them in?

Mr. MASON. I generally give them to Reubin.

Mr. RICE. Do you later see the facts as you report them printed? What does he do with them?

Mr. MASON. I imagine he writes the stories. He has his own staff there, and that I don't know. May I say to you, sir—

Mr. RICE. Yes, sure.

Mr. MASON. In all the time I have been with Reubin Klein he has never asked me what I am going to write in the column. He has never taken one word from the column, and there are many, many times when I have violently disagreed with him.

Mr. RICE. All right, sir. Who makes the assignments on the leg work?

Mr. MASON. I wouldn't have any idea.

Mr. RICE. You say you do leg work?

Mr. MASON. I said when I was asked I do it.

Mr. RICE. Who asked you?

Mr. MASON. Reubin has asked me on a couple of occasions.

Mr. RICE. When Reubin asked you to do leg work, you went out and did leg work for him; is that a fair representation?

Mr. MASON. Yes, sir.

Mr. RICE. Do you still consider yourself connected with the Miami Life?

Mr. MASON. Insofar as that connection is concerned, and the matter of the column, yes. I haven't been told that the column wouldn't appear.

Mr. RICE. Just for our own information, how long do you intend to continue without compensation?

Mr. MASON. Just for your own information, and no one else's except the television and radio audience, Counselor—

Mr. RICE. Yes, sir.

Mr. MASON (continuing). I might say that I will probably continue it as long as I feel I can help him and so long as we maintain the same friendship toward each other, which I believe is my right.

Mr. RICE. Yes, sir. Now, in the meantime what is the source of income; what do you use to support yourself?

Mr. MASON. Well, my present source of income has been the fact that I had to put another plaster on my house; as I said before, I have been very ill and I haven't been able to work. Now, I have two or three things in the fire that I believe I will be able to do.

Mr. RICE. You say you have recently put a mortgage on the home-
stead?

Mr. MASON. That's right.

Mr. RICE. You had some difficulty with your wife back in Chicago?

Mr. MASON. That's right.

Mr. RICE. I have a record here that I will read—

Mr. MASON. Mr. Chairman.

The CHAIRMAN. Yes.

Mr. MASON. Unless this record, which the gentleman purposes to read, can be directly connected with criminal activity of any kind that is interstate, because of the fact that I have been married 30 years, and my children are grown and I am raising grandchildren—

The CHAIRMAN. Then you needn't say any more.

Mr. RICE. We will disregard it.

The CHAIRMAN. The record will not be read.

Mr. MASON. Thank you, Mr. Chairman.

Mr. RICE. Let me ask you this: On February 25, 1925, you were arrested in Chicago, according to a record I have here—at least a Phillip Friedlander was arrested—and charged with violation No. 358, chapter 38, of the State statutes, which is murder. Have you ever been charged with murder?

Mr. MASON. I have not.

Mr. RICE. On May 21, 1925, Friedlander was tried before a jury in the courtroom of Judge Albert B. George in the municipal court; do you remember that?

Mr. MASON. That's right.

Mr. RICE. The jury returned a verdict of guilty, and a motion was entered for a new trial, and it was continued to May 27, 1925. After seven continuances the defendant was fined \$100 and costs; what was that for?

Mr. MASON. That was a mix-up that came in when I was working for a man by the name of Pollock. I had signed a statement in the Morrison Hotel in Chicago. The hotel went out of business, and the hotel went after me for the payments. I didn't think I ought to pay it. They couldn't get me in the civil court, and they went after

me on the fact that I had signed this statement, which was true; I signed it.

Mr. RICE. Was the charge defrauding an innkeeper?

Mr. MASON. Yes, sir; something like that. That is the general statute, as you know.

Mr. RICE. Let us see if you remember this one. An arrest of Phillip Friedlander at the Fort Dearborn Hotel; did you ever hear of that?

Mr. MASON. That's right.

Mr. RICE. An American salesman arrested by Officers Piper and Smith, detective bureau, on January 23, 1923, for a confidence game; is that right?

Mr. MASON. That's right. The case was dismissed in the municipal court.

Mr. RICE. Discharged by Judge Schulman. That was in January. And in March of 1923 on the 12th, was another arrest, by Officers Seymour and Conolly; charge, confidence game. Is that right?

Mr. MASON. Well, now, you see that is quite a while ago, and I may be mixed up. I explained to you when I started in, there were some indictments returned.

Mr. RICE. Were you ever convicted on a charge of a confidence game?

Mr. MASON. No, sir.

Mr. RICE. You were charged a number of times with that; were you not?

Mr. MASON. Twice, I believe.

Mr. RICE. What is a confidence game?

Mr. MASON. Are you an attorney?

Mr. RICE. Yes. In your parlance what is a confidence game?

Mr. MASON. Well, why in my parlance?

Mr. RICE. Well, you were arrested many times for it.

Mr. MASON. May I ask the purpose of this inquiry?

Mr. RICE. Yes, sir. I think the Senator would like to be enlightened.

Mr. MASON. The Senator is also a gentleman who has studied law. I believe he knows what a confidence game is.

Mr. RICE. What is a confidence game; what did they charge you with? It is a swindle; isn't it?

Mr. MASON. Yes, it might be called that. The obtaining unlawfully of goods and money. Now, may I ask the Chair there—

The CHAIRMAN. Nothing now, except you will be given a chance to express yourself.

Mr. MASON. I have absolutely no objection to answering questions here, Mr. Chairman, but everything that is being spoken of is a quarter of a century old, or thereabouts. I would like to know if it is the purpose of this committee to rattle old skeletons or if this attorney honestly believes that he can, by inference, connect anything that is 25 or 30 years old with me today. Of course, you realize this pillory, especially under these circumstances, will drive me out of business entirely. Now, I don't know what the purpose is, but I feel that I, like any other person who is very happy to come before a committee of this kind and testify, am entitled to the protections that are guaranteed by the Constitution of the United States. I feel that when you bring people here who want to help you and then go into a matter of

this kind, unless it can be shown that I am today a criminal, or that I have committed in any way, shape, or form—aided and abetted a criminal act—then I say that is a crime and should not be countenanced.

Mr. RICE. All right, sir; when were you last arrested?

Mr. MASON. I told you I was arrested for speeding.

Mr. RICE. That was recently, wasn't it, and you were arrested before that, too; weren't you?

Mr. MASON. When?

Mr. RICE. How about May 4, 1939; that is not so terribly long ago; do you remember that?

Mr. MASON. 1939?

Mr. RICE. Yes.

Mr. MASON. Where?

Mr. RICE. Criminal court, Chicago, Phil Friedlander, April 26, 1939.

Mr. MASON. Well, that couldn't have been me, sir, because I was in Miami in 1939.

Mr. RICE. Well, fingerprint card shows you were arrested for an attempt to commit an offense of disorderly conduct. It came before Judge Hermes.

Mr. MASON. That was in 1936.

The CHAIRMAN. That was the case, but it was 1936, not 1939.

Mr. MASON. 1936, not 1939.

Mr. RICE. Did you know a man by the name of Terry O'Bannion in Chicago, or James Rafter?

Mr. MASON. I am afraid I can't recall those names.

Mr. RICE. You don't remember?

Mr. MASON. Will you connect them with something?

Mr. RICE. Yes. Would you want to say that right at the moment you can't remember those names?

Mr. MASON. No; I don't recall them. Wasn't Terry O'Bannion the one that was in the clerk's office in Chicago?

Mr. RICE. I don't know about that. He lived at 608 Belmont Avenue, and Rafter lived at 1950 Lincoln Avenue; do you remember them?

Mr. MASON. I don't recall.

Mr. RICE. Let me read this to you. The record shows that Friedlander operates telephone "boiler rooms" and solicits funds for phony organizations, using the names of prominent citizens as associates. O'Bannion, Williams, and Rafter—referring to Bernard Williams—and Friedlander represented a fictitious newspaper called the Irish-American. Did you ever hear of that?

Mr. MASON. No.

Mr. RICE. They had arranged with Friedlander to meet them every night. Friedlander has a record of indictments in the State's attorney's office for confidence games, murder, and so forth, during the period 1923 to 1926. He was arrested for nonsupport of his wife, Rose, a resident of the Clarendon Beach Hotel, October 19, 1922. Do you know anything about that "boiler room" thing?

Mr. MASON. No; I don't know anything about the "boiler room." I think back at that time—I never had a telephone then, so I don't know what it is. There was something in that, and in some way

they tried to hook me in. I don't remember. I don't remember those names. You said there is another Friedlander.

Mr. RICE. Well, this fellow Williams was also known as Friedlander.

Mr. MASON. No, sir.

Mr. RICE. Do you recall O'Bannion?

Mr. MASON. I really don't; no.

Mr. RICE. This is Harry O'Bannion in this "boiler room" thing; you want to say you don't know him?

Mr. MASON. I couldn't say I don't know him, because I don't know the name.

Mr. RICE. So you can't say whether you do or whether you don't: do you want to leave it like that?

Mr. MASON. I would rather leave it like that; yes.

Mr. RICE. It is possible, then, that you did know him?

Mr. MASON. Of course, it is possible.

Mr. RICE. How about the other fellow, Rafter?

Mr. MASON. Him I don't even know at all.

Mr. RICE. Is it possible you were involved with Rafter and O'Bannion in something you can't remember?

Mr. MASON. I scarcely think so.

Mr. RICE. Your memory was pretty good on that 1922 thing?

Mr. MASON. I beg your pardon?

Mr. RICE. I say your memory was pretty good on that 1922 thing.

Mr. MASON. Mr. Chairman, may I again ask you to ask counsel not to quarrel with me or argue with me.

Mr. RICE. How about the Irish-American; did you ever hear of that?

Mr. MASON. I don't think so; no, sir.

Mr. RICE. You lived at the Clarendon Beach, didn't you?

Mr. MASON. At the Clarendon Beach?

Mr. RICE. You lived there with your wife, Rose; you were arrested there three times.

Mr. MASON. I was arrested?

Mr. RICE. No; I am mistaken. Fort Dearborn; I am sorry.

Mr. MASON. Will you please clarify yourself?

Mr. RICE. Did you live at the Clarendon Beach?

Mr. MASON. I lived at the Clarendon Beach Hotel.

Mr. RICE. That is an answer.

Mr. MASON. In 1919.

Mr. RICE. That is an answer. Now, then, referring back to the statement I read about the "boiler room" and the Irish-American outfit, would you say that the only part of that that is right is the part that says that you lived at the Clarendon Beach?

Mr. MASON. Well, you read a very exhaustive and lengthy statement.

Mr. RICE. Do you want me to read again?

Mr. MASON. If it would please you. I haven't anything to do except be at the service of the committee.

The CHAIRMAN. You heard the statement read, and our interest is to ascertain whether or not that could have referred to you and whether you might have been involved in that episode.

Mr. MASON. It could have referred to me, and I might have been involved. Let's leave it at that.

The CHAIRMAN. All right.

Mr. RICE. Now, sir, coming down to—incidentally, what is a “boiler room”?

Mr. MASON. You know, it is remarkable, really and truly remarkable.

The CHAIRMAN. Now, you started to remonstrate a moment ago for some people quarreling with you.

Mr. MASON. Well, now, the slang term “boiler room” refers to a series of telephones that are placed for the purpose of solicitation.

Mr. RICE. What do the solicit?

Mr. MASON. Oh, anything.

Mr. RICE. Why do they call it a “boiler room”?

Mr. MASON. They call it a “boiler room” because someone stands there with a mental whip over the men and women employed and keeps them working over those phones. Today, you probably don’t realize it, but at least 20 percent of the merchandise in the United States is sold by means of “boiler rooms.”

Mr. RICE. They still do that?

Mr. MASON. Sir?

Mr. RICE. They still do that?

Mr. MASON. Probably more today than ever before. The cost of going into a person’s home by telephone, particularly in the territory where calls are not individually charged, is so little that a good telephone solicitor can call a hundred calls a day on iceboxes, on ventilators, on phonographs, on anything. And they do. They sell everything from magazines to heaters.

Mr. RICE. Have you ever heard of a “boiler room” used in connection with soliciting money for something that isn’t there?

Mr. MASON. Have I ever heard of the “dues”?

Mr. RICE. Yes.

Mr. MASON. Oh, yes.

Mr. RICE. Wouldn’t that be a more apropos term of a “boiler room,” of an operation that was soliciting for a campaign that was in the nature of a fraud; wouldn’t it be more of a fair statement?

Mr. MASON. Well, I don’t know what you mean by a “fair statement.” I don’t have your idea of values evidently. You asked me for a generic term and what it means, and I explained it to you to the best of my ability.

Mr. RICE. You are the criminal court fellow that had that program. I though you might know a little bit more about it.

Mr. MASON. What is it you wish to know?

Mr. RICE. If the term wasn’t more generally applied to fraud?

Mr. MASON. As far as I know, the term is applied to any series of telephones that are used for the solicitation of anything.

Mr. RICE. Did you ever appear on WIOD, the radio station here?

Mr. MASON. Of course.

Mr. RICE. How recently was that?

Mr. MASON. That hasn’t been more than 10 years last past.

Mr. RICE. How many years?

Mr. MASON. Ten.

Mr. RICE. Ten years; for 10 years you haven’t appeared on WIOD?

Mr. MASON. I don’t think so.

Mr. RICE. What was the type of program you had on WIOD?

Mr. MASON. I had what is known as a morning show.

Mr. RICE. 6:30 a. m. each day except Sundays?

Mr. MASON. That's right.

Mr. RICE. Except Sundays?

Mr. MASON. That's right.

Mr. RICE. Why did you terminate that broadcast every morning?

Mr. MASON. It wasn't a case of termination; I got fired.

Mr. RICE. Did you have some difficulty with the station or with someone else?

Mr. MASON. Well, I don't exactly know what difficulty it was except that perhaps the program had started to make too much money.

Mr. RICE. In the nature of something that you would say would cause a firing?

Mr. MASON. Well, let's leave it that way.

Mr. RICE. Well, I would rather not leave it that way when I have a record here that says:

Mason was making a daily broadcast at 6:30 a. m., except Sundays. About 3 weeks of the date of this communication a very offensive broadcast was made concerning the police department.

Mr. MASON. That is beyond my knowledge. There wouldn't be any reason for it.

Mr. RICE. Was that for making more money when you offended the police department?

Mr. MASON. Well, now, you have made the statement. You see, I happen to be under oath. I am bound by what I say, and you unfortunately have the privilege of doing almost as you please. I can tell you very definitely that the reason that I was forced to leave WIOD was from a thing very similar to this, where somebody went back to dig up a lot of skeletons that were in the closet. And I want to tell you this, and let you know it; I stayed in Miami and I fought it out, and I worked on the streets, and I saved my home and raised my children, and those things that I think are right I will continue to fight for. No, sir; there was no broadcast to the police department that was offensive to the police department, because if you knew what you were saying, at 6:30 in the morning there wouldn't be any reason for it.

Mr. RICE. All right. Did you ever appear over WMIE?

Mr. MASON. No, sir.

Mr. RICE. Have you ever sold WMIE any programs that you promoted?

Mr. MASON. No, sir.

Mr. RICE. Have you had any connection with any programs with WMIE?

Mr. MASON. No, sir.

Mr. RICE. With any principals or operators of WMIE?

Mr. MASON. Well, the gentleman who is the manager of WMIE was the manager of WGBS at the time he was there. It was then known as WFCL—WFTL, pardon me.

Mr. RICE. Is your wife's name Viola?

Mr. MASON. Yes, sir.

Mr. RICE. Do you have any daughters?

Mr. MASON. No.

Mr. RICE. Who is Marie Mason?

Mr. MASON. That is my wife's sister. It is not spelled like mine. It is M-a-e-s-o-n.

Mr. RICE. Is she Marie M. Maeson?

Mr. MASON. I am not positive as to her middle initial.

Mr. RICE. Does she live with you?

Mr. MASON. No.

Mr. RICE. Do you know a woman by the name of M. M. Mason?

Mr. MASON. Well, the only Marie Mason I know is my wife's sister.

Mr. RICE. Do you know whether or not she has any stock in WMIE?

Mr. MASON. I am positive not.

Mr. RICE. Why are you positive?

Mr. MASON. Well, sir, unfortunately, Mrs. Marie Mason is in very dire financial circumstances. And I am quite positive that she has no stock in WMIE.

Mr. RICE. I have a record here—the reason I asked—I will clear it up. Do you know a Margaret Mason?

Mr. MASON. Margaret?

Mr. RICE. Margaret Mason; yes.

Mr. MASON. No.

Mr. RICE. Did you ever live at 2875 Northwest Forty-second Avenue?

Mr. MASON. No. No; I have lived in the present home that I built 12 years ago, I have lived there ever since.

Mr. RICE. I am sure this is no relation. M. M. Mason, 2875 Northwest Forty-second Avenue, owned five shares in Station WMIE. She is no kin of yours?

Mr. MASON. No relation.

Mr. RICE. Now, sir, do you know Mal Clark out in Chicago?

Mr. MASON. I beg your pardon?

Mr. RICE. Do you know Mal Clark out in Chicago?

Mr. MASON. Not under that name; no, sir. That is, the name means nothing to me. But let me say this, you are probably going to ask me a lot of names, and names don't mean anything to me.

Mr. RICE. Not under that name, what name do you know him under?

Mr. MASON. If I don't know him under that name, I don't know him under any name.

Mr. RICE. Does he know you?

Mr. MASON. Well, now, that, sir, I couldn't answer for you. You will have to ask him.

Mr. RICE. I have a record here. I think it shows that Mal Clark—we call him one of the big five bookies out in Chicago—may know you.

Mr. MASON. It could be very possible. I was born there, lived there all my life until I came here.

Mr. RICE. Now, sir, let us see here; Mal Clark & Co. maintains offices at 217 North Clark Street. It is a large betting commission house. They made a call to a number in Miami. Did you ever live on Twenty-third Street?

Mr. MASON. No, sir.

Mr. RICE. 309 Twenty-third Street?

Mr. MASON. No; I never lived there.

Mr. RICE. Did you ever have a telephone there?

Mr. MASON. I had an office there.

Mr. RICE. What sort of office was that?

Mr. MASON. I was in the theatrical booking business, and I had an office in the lobby of the hotel, and I gave up the business and left the phone.

Mr. RICE. What kind of business, booking business?

Mr. MASON. Theatrical booking.

Mr. RICE. Was the number in Miami 5-4911?

Mr. MASON. It might have been.

Mr. RICE. It might have been? It was your office.

Mr. MASON. I haven't been anywhere near it for years.

Mr. RICE. You haven't been where?

Mr. MASON. I haven't been anywhere near the office.

Mr. RICE. What was the number when you were in there?

Mr. MASON. I think that it would be very easy for me to find out.

Mr. RICE. There was a person-to-person call to Lee Mason, to Miami 5-4911, from Mal Clark from Chicago.

Mr. MASON. What was the date?

Mr. RICE. 1949.

Mr. MASON. (No response.)

Mr. RICE. You don't want to say anything about that?

Mr. MASON. I couldn't say anything about that; it wasn't me; I wasn't there.

Mr. RICE. You don't know anything about it; you did not take the call?

Mr. MASON. No.

Mr. RICE. Do you want to say that you haven't had any calls from Mal Clark?

Mr. MASON. I am positive I didn't have any calls from Mal Clark. I don't even know who Mal Clark is.

Mr. RICE. Would you want to say that you haven't had any calls from a bookie in Chicago?

Mr. MASON. As far as I know, if you will just straighten that out and say that I had calls from a bookie in Chicago, knowing that he was a bookie, I haven't, but, you see, anybody that you talk to might or might not be a bookie. That I don't know.

Mr. RICE. I am sure that is very possible. In your business as a theatrical agent what did you do?

Mr. MASON. I don't do anything. I haven't been in the business.

Mr. RICE. When did you get out of the business?

Mr. MASON. Well, I would have to look up the records. I think it was in 1948 or 1947.

Mr. RICE. What did you do when you were in the business?

Mr. MASON. Sold acts.

Mr. RICE. What did you do?

Mr. MASON. Sold acts.

Mr. RICE. Sold ads?

Mr. MASON. Sold acts, a-c-t-s.

Mr. RICE. You were in that business from when; what year?

Mr. MASON. 1947 or 1948; I was only in it for a short while.

Mr. RICE. Do you know a man by the name of Jack Friedlander, a very well-known man here on the beach?

Mr. MASON. Well, now, if you mean the same man I do, I most certainly do know him, but I am not sure that we mean the same person.

Mr. RICE. I think he was a guest at one of our hearings at one time in Washington.

Mr. MASON. Could have been. Then if that is the man, I probably know him.

Mr. RICE. He is originally from New Jersey.

Mr. MASON. That I wouldn't know.

Mr. RICE. Some say that he is a bookie and gambler on the beach?

Mr. MASON. That also I wouldn't know.

Mr. RICE. You wouldn't know about that?

Mr. MASON. No, sir.

Mr. RICE. Is he any relation to you?

Mr. MASON. No, sir.

Mr. RICE. He is no relation; you are sure about that?

Mr. MASON. Well, I am quite positive.

Mr. RICE. You never told anyone that he is your cousin?

Mr. MASON. We have been ribbing for about 10 or 11 years; that is the length of time I know him; and because his name is Friedlander and my name is Friedlander we always said "Cousin," and his wife Sally with whom I am very well acquainted, we always call each other "Cousin Sally" and "Cousin Bill."

Mr. RICE. Strictly a ribbing proposition?

Mr. MASON. Yes.

Mr. RICE. I take it then, you are fairly closely acquainted with him?

Mr. MASON. Yes.

Mr. RICE. What business is he in?

Mr. MASON. I haven't the faintest idea. Wait a minute; let me amplify that. I seem to hear a little tittering on that statement. And I would like to amplify that. I probably am a little more cautious in making answers because I am under oath, and may be held strictly accountable for my answers. If you wish, you can answer it in this manner, that my only knowledge as to Jack's business was confined in an article in the Miami Herald which, according to the Miami Herald, presented a statement reportedly by Jack, in which he said he was a gambler; but that is the extent of my knowledge of his business.

Mr. RICE. About a year ago we were down here in Miami, and it seems to me I saw you then with a movie camera?

Mr. MASON. Yes, sir, a movie camera and a still camera.

Mr. RICE. What were you doing?

Mr. MASON. Making pictures.

Mr. RICE. What were they for?

Mr. MASON. For the very thing they have in here now. At that time it was a very good idea. I had no idea these hearings would ever be open to television, and inasmuch as you can take still movies, a set for television would be a very good thing. Another thing, I lecture.

Mr. RICE. Let us keep on the subject of the movies. You took movies of the hearings?

Mr. MASON. That's right.

Mr. RICE. And still pictures of the persons who came before the staff and other people, investigators and sheriffs, and people like that?

Mr. MASON. Yes.

Mr. RICE. And what did you do with those films?

Mr. MASON. I wasn't able to do anything with them. I went to Washington.

Mr. RICE. What did you intend to do with them?

Mr. MASON. I was going to sell them to television. When I came to Washington, I stopped in Senator Wiley's office and we exhibited them to Senator Wiley. They were not bad. They are not good; but they are not bad. Refilmed for television they would be good; but by the time I got to New York there had already been a TV agreement reached, and there wasn't any sense in going on.

Mr. RICE. What did you do with the films?

Mr. MASON. I was never able to sell them.

Mr. RICE. Did you ever offer those films to any racket interests?

Mr. MASON. Good grief, no.

The CHAIRMAN. That is all.

Mr. MASON. Thank you, Senator.

(Witness excused.)

The CHAIRMAN. The audience now is kindly requested to refrain from any audible demonstrations, please. The next witness is Mr. Jack Raskin. Mr. Raskin, you have been previously sworn?

Mr. RASKIN. Yes, sir.

Mr. RICE. Before proceeding with this witness, I would like to offer the criminal record of Lee Mason into the record. This is the record obtained from the FBI.

Mr. MASON. If the chairman please, I am going to object to the introduction of that record unless each and every item on that record is proven to be the Lee Mason who stands before you and testifies.

The CHAIRMAN. As a matter of fact, I think it is already in evidence, that is to say, each of the details has been testified to, with explanations by you. I think that is sufficient.

Mr. MASON. But you see, there are a number of them; only two are mine. Unfortunately, there were three Phil Friedlanders in Chicago at the time.

Mr. RICE. I think it is fair to say to you that if you think there will be any difficulty about that, we would like to receive from you any written statement that you might wish to make, denying those things.

Mr. MASON. I think the onus is upon you, not upon me, if you are going to put that into a public record.

Mr. RICE. The record has been obtained from the FBI, and we find those records usually sufficient. We find them accurate.

Mr. MASON. This time it is not accurate.

The CHAIRMAN. Well, the record was given in detail, and that was given as you asked.

FURTHER TESTIMONY OF JACK LOUIS RASKIN, MIAMI BEACH (FLA.) POLICE DEPARTMENT

Mr. RICE. Mr. Raskin, you were sworn this morning, is that correct?

Mr. RASKIN. That's right.

Mr. RICE. You said your name was——

Mr. RASKIN. Jack Raskin.

Mr. RICE. You live where?

Mr. RASKIN. 934 Michigan Avenue, Miami Beach, Fla.

Mr. RICE. Your employment?

Mr. RASKIN. Patrolman, city of Miami Beach.

Mr. RICE. Patrolman on the city of Miami Beach Police Department?

Mr. RASKIN. Yes, sir.

Mr. RICE. How long have you been a patrolman on the city of Miami Beach Police Department?

Mr. RASKIN. About 5 years.

Mr. RICE. Do you remember exactly how many years you have been a member of the Miami Beach Police Department?

Mr. RASKIN. I think it was February of 1947.

Mr. RICE. How did it happen that you joined the police department in February 1947?

Mr. RASKIN. I was looking for a steady job, and that was the first opportunity I had to get one since I got out of the service.

Mr. RICE. When did you leave the service? You are talking about the service of the United States now?

Mr. RASKIN. Yes. I left the service, I think it was the early part of 1946.

Mr. RICE. Early in 1946?

Mr. RASKIN. Yes, sir.

Mr. RICE. So that you had a span there of a year from early 1946 to February of 1947. What were you doing during that time?

Mr. RASKIN. I worked for S. & G.

Mr. RICE. S. & G. Syndicate? S. & G. Service?

Mr. RASKIN. That's right.

Mr. RICE. A different service?

Mr. RASKIN. Yes, sir.

Mr. RICE. What did you do for S. & G. Service?

Mr. RASKIN. I was a calculator.

Mr. RICE. Calculator?

Mr. RASKIN. That's right.

Mr. RICE. Where did you calculate?

Mr. RASKIN. In an office, sir.

Mr. RICE. Where was that office located?

Mr. RASKIN. 309 Twenty-third Street.

Mr. RICE. 309 Twenty-third Street?

Mr. RASKIN. Yes.

Mr. RICE. That is the same place we just heard about, isn't it?

Mr. RASKIN. That's right. I was in their employ for 2 or 3 weeks.

Mr. RICE. Have you ever seen the witness who just preceded you here?

Mr. RASKIN. Yes, sir; I have seen him.

Mr. RICE. What was he doing there?

Mr. RASKIN. Did I ever see him in the premises?

Mr. RICE. Yes.

Mr. RASKIN. No. I thought that you said did I know him?

Mr. RICE. You haven't seen him at 309 Twenty-third Street?

Mr. RASKIN. No.

Mr. RICE. With what individual did you deal when you became employed by S. & G. Service; who hired you?

Mr. RASKIN. My wife.

Mr. RICE. Your wife hired you?

Mr. RASKIN. That's right.

Mr. RICE. What is her name?

Mr. RASKIN. Ann Raskin.

Mr. RICE. What is her capacity or position?

Mr. RASKIN. She was working in the office. When I got out of the service I couldn't get a job; I tried different organizations; I had been wounded, knocked around a good bit, and I had a good case of claustrophobia and a couple of hunks of shrapnel. I tried to get a job in the Florida Power & Light Co. and the Bell Telephone. They offered me a big \$28 a week.

When I went overseas my wife was 3 months' pregnant and when I came back the baby was 20 months old. I was a front-line infantryman in a rifle company. When I got home I couldn't get a job. My wife was working for the office.

Mr. RICE. Were you receiving compensation from the Government?

Mr. RASKIN. A big 10 percent—\$15. At that time it was \$10 a month.

Mr. RICE. So your wife hired you for S. & G.? What is the business of S. & G.?

Mr. RASKIN. They receive bets from outside concessions, or they took off bets—I still don't know what it was all about.

Mr. RICE. What sort of bets?

Mr. RASKIN. Horse bets.

Mr. RICE. Is that an illegal business or is it a legal business?

Mr. RASKIN. Did you say is that illegal?

Mr. RICE. Yes.

Mr. RASKIN. Well, the policy is pretty liberal on the beach.

Mr. RICE. I asked you if it was legal or illegal?

Mr. RASKIN. I guess it is illegal.

Mr. RICE. So then you joined up in an illegal business in which your wife was participating; is that the idea?

Mr. RASKIN. We were paying taxes on everything we made.

Mr. RICE. I asked you if you were in an illegal business, knowing it was illegal?

Mr. RASKIN. No; I didn't know it was illegal.

Mr. RICE. Did you know at that time that horse bets were illegal?

Mr. RASKIN. At that time I didn't.

Mr. RICE. Do you know it now?

Mr. RASKIN. Yes.

Mr. RICE. When did you learn that?

Mr. RASKIN. In the course of time, newspapers—from the newspapers. I thought the way the policy was on the beach—it was liberal and open.

Mr. RICE. You didn't even know that it was against the law?

Mr. RASKIN. Not the way they were operating.

Mr. RICE. Is that what you want us to believe?

Mr. RASKIN. No; I don't.

Mr. RICE. What do you want us to believe?

Mr. RASKIN. I was just in a muddle, that's all. I was confused.

Mr. RICE. All right, sir. When you got out of your muddle you learned that it was against the law, didn't you?

Mr. RASKIN. That's right.

Mr. RICE. So that was in 1947, at least, that you learned that it was against the law?

Mr. RASKIN. That's right.

Mr. RICE. Did your wife leave the business?

Mr. RASKIN. No, she didn't.

Mr. RICE. What did she do?

Mr. RASKIN. I tried to convince her to leave quite a few times. We had some pretty good scraps and arguments. My wife is a redhead.

Mr. RICE. Yes.

Mr. RASKIN. I went through this before. I was questioned by the Federal grand jury here just recently, and so was my wife. I don't know if you have access to those questions or not.

Mr. RICE. It is immaterial, but you can tell us about it.

Mr. RASKIN. It is the same line of questioning, only I get very nervous.

Mr. RICE. Frankly, we would be interested in knowing the answer to a proposition where you are a member of the Police Department of Miami Beach and your wife, at least until very recently, was a full-time employee of S. & G. Service.

Mr. RASKIN. Well, what is the question?

Mr. RICE. We would like to know the answer to that; how can that exist?

Mr. RASKIN. I just have nothing to do with my wife that way. We argued; just didn't discuss it anymore. We have not discussed it for the past 2 or 3 years. She goes her way and I go mine.

Mr. RICE. You are living with her, are you not?

Mr. RASKIN. Yes, I am.

Mr. RICE. And it is your sworn duty to uphold the law, is it not?

Mr. RASKIN. Yes, it is.

Mr. RICE. Isn't that a violation of the law?

Mr. RASKIN. Well, I am a traffic policeman.

Mr. RICE. I take it then that you are a full-time policeman, are you not? You have a badge, don't you?

Mr. RASKIN. Yes, sir, I have.

Mr. RICE. And you have a gun?

Mr. RASKIN. Yes.

Mr. RICE. I see.

Mr. RASKIN. And a summons book, a blackjack, a flashlight, and an extra belt.

Mr. RICE. And you have taken an oath of office; you were sworn in to uphold all the laws?

Mr. RASKIN. Yes, sir.

Mr. RICE. How do you reconcile that position with the fact that you are a traffic policeman but you don't enforce other laws; do you make a distinction between them?

Mr. RASKIN. I have seen no signs of bookmaking. You mean why didn't I arrest my wife?

Mr. RICE. Yes.

Mr. RASKIN. I never saw her after I left the office. I never saw her work in the office.

Mr. RICE. You know what she is doing, do you not?

Mr. RASKIN. Yes.

Mr. RICE. Did you ever report to your superiors what she was doing?

Mr. RASKIN. No.

Mr. RICE. I have here a record that shows a joint return filed by you in 1949, I believe, up through 1950, in which you show income from the police department and also from S. & G. Service.

Mr. RASKIN. That's right.

Mr. RICE. It is a little paradoxical, don't you think?

Mr. RASKIN. Well, when I got out of the service that \$15 a day that they were offering me looked pretty big. I had been living on \$12 a month for 3½ years prior to that—no, 3 years, and it looked pretty good to get a nice start.

Mr. RICE. Do you feel that you are a representative of the police department on which you serve, that you are a typical representative?

Mr. RASKIN. I wouldn't say that I am a typical representative. I think I am a very good representative.

Mr. RICE. I see. All right, sir.

Mr. RASKIN. I have made some very good catches.

Mr. RICE. Oh, you have made good catches?

Mr. RASKIN. Yes, I have.

Mr. RICE. What kind of catches?

Mr. RASKIN. Stick-up men.

Mr. RICE. Stick-up men?

Mr. RASKIN. Molesters, young hoodlums.

Mr. RICE. Gamblers?

Mr. RASKIN. Gamblers?

Mr. RICE. What gamblers did you ever catch?

Mr. RASKIN. Gamblers?

Mr. RICE. Yes.

Mr. RASKIN. I never saw any gambling.

Mr. RICE. So that you do something besides direct traffic, don't you?

Mr. RASKIN. Yes, I do. I give information also.

Mr. RICE. You do what?

Mr. RASKIN. I give general information about the beach, to people who want to know directions.

Mr. RICE. Suppose someone asked you directions to a bookie room, would you know where to direct them?

Mr. RASKIN. No; I would not.

Mr. RICE. You know where your wife works; don't you?

Mr. RASKIN. That was not a bookie joint.

Mr. RICE. What was that?

Mr. RASKIN. That was an office. They do not take bets there. They are called in.

Mr. RICE. The S. & G. Service is a gambling syndicate; is it not? (No response.)

Mr. RICE. Did it occur to you to direct them to the office to find out where they could place a bet?

Mr. RASKIN. No; it never did occur to me; no.

Mr. RICE. Now, I see that you have a gun. How many guns do you have?

Mr. RASKIN. Two guns.

Mr. RICE. Two guns?

Mr. RASKIN. Yes, sir.

Mr. RICE. Do you carry them both at the same time?

Mr. RASKIN. No; I don't.

Mr. RICE. What is the reason for the two guns?

Mr. RASKIN. I carry a gun while I am on duty and one I leave in the house.

Mr. RICE. Are they the same type of guns?

Mr. RASKIN. No, sir; they are not.

Mr. RICE. Both of them are revolvers?

Mr. RASKIN. Yes; they are.

Mr. RICE. Did you ever patrol a beat near the Club Collins?

Mr. RASKIN. Yes; I did. I still do.

Mr. RICE. You still do?

Mr. RASKIN. Yes, sir.

Mr. RICE. There was some testimony in the committee previously by Chief Short; do you remember him?

Mr. RASKIN. Yes; I do.

Mr. RICE. That there was a raid made on the Club Collins and that when the officers arrived there the gambling game, which was said to be in progress—when the officers arrived there the gambling game which was said to be in progress, had deteriorated into a card game. He said that the only person who knew that raid was going to be conducted was the officer on the beat. Do you know anything about that raid?

Mr. RASKIN. Yes; I know about that raid.

Mr. RICE. Tell us about that.

Mr. RASKIN. The raid was planned by Lieutenant Short, ex-Police Chief Short, and it was going to take place sometimes around 10, 11, or 12 o'clock. They told me to come in about 7 in the evening or 6, and then for the next 3 hours he was on the police radio calling cars and motorcycles from all over the beach, and they even knew what was happening in Coral Gables; but the only one he had mentioned it to was to me, yet everyone else in the Department, when they were called, knew about it, but I was the only one he spoke to. That is all I know. Then we took the club.

When we got there the door was open. When we got there the guys that were in there were just sitting around holding cards. I don't know what the game was. One was holding eight cards and the other was holding two cards.

Mr. RICE. It was a game of tip-off, I imagine.

The CHAIRMAN. That is all. You are excused.

(Witness excused.)

TESTIMONY OF BETTY JANE OSWILL, MIAMI, FLORIDA

The CHAIRMAN. Before Almighty God do you solemnly swear that the testimony you will give will be the truth, the whole truth and nothing but the truth, so help your God?

Mrs. OSWILL. I do.

Mr. RICE. What is your name?

Mrs. OSWILL. Betty Jane Oswill.

Mr. RICE. How do you spell that?

Mrs. OSWILL. O-s-w-i-l-l.

Mr. RICE. Where do you live?

Mrs. OSWILL. 1860 Coral Gate Drive, Miami, Fla.

Mr. RICE. Where are you employed?

Mrs. OSWILL. In the sheriff's department.

Mr. RICE. Where?

Mrs. OSWILL. Sheriff's department.

Mr. RICE. What is your job there?

Mrs. OSWILL. I am a deputy sheriff.

Mr. RICE. Are you also a notary public?

Mrs. OSWILL. Yes.

Mr. RICE. Do you have a commission from the State of Florida as a notary public?

Mrs. OSWILL. That is right.

Mr. RICE. And is it still in full force and effect?

Mrs. OSWILL. Yes.

Mr. RICE. Was it in effect in 1949?

Mrs. OSWILL. Yes.

Mr. RICE. I show you a photostatic copy of a document, copy of which was introduced into the record this morning, being a deed dated the 1st day of December 1949, running from Ethel G. Sullivan and James Sullivan to Thomas A. Rice and Ruth M. Rice, in Harford County, Md. It bears the typewritten name of Ethel G. Sullivan and the typewritten name James Sullivan, with some writing above, which appears to be signatures. It also indicates that it was witnessed by Gladys F. Neu. On the second page of the document there is an acknowledgment reading—

State of Florida, city of Miami. I hereby certify that on this 28th day of November, in the year 1949, before me, the subscriber, a notary public of the State of Florida, city of Miami, duly commissioned and qualified, personally appeared Ethel G. Sullivan and James Sullivan, her husband, and acknowledged the foregoing to be their act and deed. As witness my hand and notarial seal—

and there follows a signature. Is that your signature?

Mrs. OSWILL. Yes.

Mr. RICE. Do you recognize that?

Mrs. OSWILL. Yes.

Mr. RICE. Is that your stamp, rubber stamp, underneath that?

Mrs. OSWILL. That is correct.

Mr. RICE. I notice that the name is spelled Oswell.

Mrs. OSWILL. No; it is O-s-w-i-l-l.

Mr. RICE. Did you take that acknowledgment?

Mrs. OSWILL. Yes; I did.

Mr. RICE. What were the circumstances surrounding the taking of that acknowledgment?

Mrs. OSWILL. This paper was handed to me by the man who was chief deputy at the time. He is dead now—George Holley.

Mr. RICE. He handed you the paper?

Mrs. OSWILL. That's right.

Mr. RICE. What did he say?

Mrs. OSWILL. He asked me if I would notarize it. I said "Yes." In the course of the day I am asked to notarize 15 or 20 papers that bear the signatures of deputy sheriffs who have made service of papers that are sent to the sheriff's department from other States.

Mr. RICE. Yes.

Mrs. OSWILL. And they are not always able to be there, and I am asked to notarize their signatures.

Mr. RICE. I take it from that that this fellow asked you to take the acknowledgment?

Mrs. OSWILL. Yes.

Mr. RICE. Did the people who signed it appear before you?

Mrs. OSWILL. No.

Mr. RICE. Did they admit that they signed it?

Mrs. OSWILL. No.

Mr. RICE. How did you take the acknowledgment without the people being there or confirming it with them?

Mrs. OSWILL. I was asked to do it.

Mr. RICE. You did it as an accommodation?

Mrs. OSWILL. Yes.

Mr. RICE. For the chief deputy?

Mrs. OSWILL. Yes.

Mr. RICE. Did you examine the signatures on the front page that you acknowledged?

Mrs. OSWILL. No; I didn't. As a matter of fact, I didn't even notice what kind of paper it was.

Mr. RICE. How do you recall it now, then?

Mrs. OSWILL. Well, it runs in my mind—I mean I think I remember the occasion. Of course, as I say, I have notarized the sheriff's signature on papers that he had to sign in advance.

Mr. RICE. Oh, you have?

Mrs. OSWILL. Yes.

Mr. RICE. You mean, you put your notarial seal on before he signs?

Mrs. OSWILL. He signs and then on bills of sale, where sales are made, and the sheriff isn't always available and, well, the bills of sale have to be delivered——

Mr. RICE. I don't follow you. You mean he signs them?

Mrs. OSWILL. He signs them and they are held by the chief deputy.

Mr. RICE. And he hands them to you?

Mrs. OSWILL. That's correct, the chief deputy.

Mr. RICE. You feel that you are familiar enough with his signature, even when you don't see him sign?

Mrs. OSWILL. Yes.

Mr. RICE. How about Ethel Sullivan's; you don't feel that you are familiar with her signature, do you?

Mrs. OSWILL. No.

Mr. RICE. How would you be able to acknowledge her signature if you didn't see her sign it and you are not familiar with it?

Mrs. OSWILL. Because I was requested to sign it.

Mr. RICE. You were requested to acknowledge it?

Mrs. OSWILL. Yes.

Mr. RICE. Are you familiar with Mrs. Sullivan's signature?

Mrs. OSWILL. No; I don't think I am.

Mr. RICE. Take a look at that and see if you recognize it [handing witness document].

Mrs. OSWILL. No, sir; I don't recognize it.

Mr. RICE. All right, how about Jimmy Sullivan's; do you recognize that?

Mrs. OSWILL. That is definitely not his signature.

Mr. RICE. That is definitely not his signature?

Mrs. OSWILL. Not; no.

Mr. RICE. Why do you say that?

Mrs. OSWILL. Because I am familiar with his signature.

Mr. RICE. You don't know whether it is her or not?

Mrs. OSWILL. No.

Mr. RICE. Well, then, you take the position that there is something wrong with this document since it wasn't signed by him?

Mrs. OSWILL. It definitely wasn't signed by him.

Mr. RICE. It is his name, though, isn't it?

Mrs. OSWILL. It is his name.

Mr. RICE. Do you take other acknowledgments, by accommodation, of signatures that you don't know?

Mrs. OSWILL. No; only in the course of my work which, as I said before, signatures of our deputy sheriffs, signatures that I am familiar with, affidavits of service only that they have made of papers that are sent to us from other States. We have to have an affidavit when that service is made. I have been there long enough to be familiar with everyone and their signatures.

Mr. RICE. I think that is all.

The CHAIRMAN. You are excused, Mrs. Oswill. Thank you very much.

(Witness excused.)

TESTIMONY OF ALBERT D. HUBBARD

The CHAIRMAN. Before Almighty God do you solemnly swear that the testimony you will give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. HUBBARD. I do.

The CHAIRMAN. Your full name, please?

Mr. HUBBARD. Albert D. Hubbard.

The CHAIRMAN. Mr. Hubbard, your profession is?

Mr. HUBBARD. Attorney at law.

The CHAIRMAN. And you are a resident of?

Mr. HUBBARD. Miami, Fla.

The CHAIRMAN. Thank you very much. Will you keep your voice up so that we may all hear you?

Mr. HUBBARD. Yes, I will.

Mr. RICE. Where is your office located?

Mr. HUBBARD. 1007 Biscayne Building, Miami, Fla.

Mr. RICE. You are appearing here in response to a subpoena?

Mr. HUBBARD. Yes, sir.

Mr. RICE. Do you represent a man by the name of Raymond Craig?

Mr. HUBBARD. My firm is attorney of record for Mr. Craig in the criminal court of record, yes, sir.

Mr. RICE. Do you know where Mr. Craig is?

Mr. HUBBARD. At his home, I guess, or his office.

Mr. RICE. We have made some inquiry in an effort to locate Mr. Craig.

Mr. HUBBARD. I haven't seen him in over a week or had any communication from him since last Thursday.

Mr. RICE. I wonder if you could give us any help in locating Mr. Craig?

Mr. HUBBARD. I am not a detective. I don't know whether I could find him if I sent out to get him or not.

Mr. RICE. You are his lawyer?

Mr. HUBBARD. Yes, sir.

Mr. RICE. Presumably, as an act of courtesy to the committee, I thought possibly you could help us get in touch with Mr. Craig.

Mr. HUBBARD. I am happy to cooperate in any way I can.

Mr. RICE. We certainly appreciate it. Now, sir, going back to

the year 1948, were you Raymond Craig's attorney at that time?

Mr. HUBBARD. I was on a specific matter, yes, sir.

Mr. RICE. On a specific matter. What was that?

Mr. HUBBARD. I was employed to draft a bill legalizing off-track betting.

Mr. RICE. A bill to legalize off-track betting; what were the terms of that bill, sir, according to his instructions?

Mr. HUBBARD. It is a rather lengthy thing. I couldn't delineate it at this moment. To legalize and give the State a percentage of the moneys taken by people making book outside of the enclosure of a race course.

Mr. RICE. Under a licensing arrangement?

Mr. HUBBARD. Under a licensing arrangement.

Mr. RICE. As a result of that did you prepare a bill?

Mr. HUBBARD. Yes, sir.

Mr. RICE. And what was done then?

Mr. HUBBARD. Mr. Chairman, I deem that I would violate the rule B, paragraph 37, of the canons of legal ethics if I divulged any of my efforts in connection with my employment by Mr. Craig on his legal work or in his legal work in connection with the matter sought to be inquired about.

The CHAIRMAN. Mr. Hubbard, do you claim the privilege?

Mr. HUBBARD. I do, sir.

The CHAIRMAN. As being in a confidential relationship with Mr. Craig?

Mr. HUBBARD. I do.

The CHAIRMAN. And is the matter that you are being interrogated about now one that comes within your knowledge as an attorney?

Mr. HUBBARD. That's correct.

The CHAIRMAN. You will not be required to answer anything that is within the confidential relationship.

Mr. RICE. Unless you have been released by your client. Have you been released?

Mr. HUBBARD. I understood that Mr. Craig had not appeared here as yet.

Mr. RICE. Have you discussed a release?

Mr. HUBBARD. No, I have not.

Mr. RICE. Are you sure about that?

Mr. HUBBARD. I have discussed with him the facts, but I have not received any release from him. And I doubt that I would testify if he should release me.

The CHAIRMAN. You may be required to.

Mr. HUBBARD. It would be in violation of the canons of legal ethics, as I recited.

Mr. RICE. Do you recall the conversation that you and I and Mr. Mills had the other day?

Mr. HUBBARD. That was an informal conversation.

Mr. RICE. Do you recall what was said about a release?

Mr. HUBBARD. You told me, I believe, that Mr. Craig had released me from any privileged communication. I said, "Well, he is the boss," or words to that effect.

Mr. RICE. Did you confirm that fact that you had been released?

Mr. HUBBARD. If you told me so, yes.

Mr. RICE. Did you confirm it?

Mr. HUBBARD. How could I? I had no knowledge that he had released me except through you.

Mr. RICE. Do you take the position that you had not discussed a release at all with Mr. Craig?

Mr. HUBBARD. I will not answer that question.

Mr. RICE. You don't want to answer that question?

The CHAIRMAN. Mr. Hubbard, we think that that is an eminently proper question, because if the client has released the attorney from that confidential relationship, then you are in the same status as a witness, as any other witness.

Mr. HUBBARD. Mr. Craig has not, to my knowledge, released me from the confidential relationship of attorney and client. I probably violated the code when I discussed some matters privately with counsel for this committee the other day, that he refers to, but I don't care to publicly violate those canons.

Mr. RICE. All right, sir; did you tell us that your representation in this case was something of a lobbyist nature—in the nature of being a lobbyist?

Mr. HUBBARD. I don't care to discuss what I discussed with you privately, sir.

Mr. RICE. You don't care to discuss it. Is it all right if I discuss it?

Mr. HUBBARD. You can testify all you wish, sir.

Mr. RICE. All right, sir; will you deny or affirm what I have to say?

Mr. HUBBARD. I can't prophesy what I will do, sir, until you ask me something.

Mr. RICE. Let me refresh your recollection. It is my impression that in talking about the representation of Raymond Craig and his bill you felt that you were in somewhat of the nature of a lobbyist; is that right?

Mr. HUBBARD. My recollection of the word "lobbyist" is this, sir: As you were getting up to leave, in company with Mr. Mills, and handed me a subpoena, I said, "I will probably refuse to answer your questions before the committee, before the public, because of the canons of ethics," and you replied, "Well, you can tell them that." And I said, "Perhaps you will contend that I was merely a lobbyist and can't claim an attorney's privilege." I believe that was the conversation, as I recall it, sir.

Mr. RICE. I believe that you volunteered the fact during the conversation?

Mr. HUBBARD. Well, volunteer or not, that was my recollection of what was said about my being a lobbyist. I was a poor one.

Mr. RICE. Wasn't the fact discussed that you were released by your client and you admitted that you were released?

Mr. HUBBARD. No, I didn't admit that I was released, because I had not been released. You asked me if I had heard from Mr. Craig, to advise him to call you, and I said I would be glad to. I haven't heard from him since I talked with you. If I knew where to get him I would seek his release, because I am in sympathy with the chairman and his committee.

Mr. MOSER. Mr. Hubbard, I believe that the attorney-client privilege applies to communications between you and your client?

Mr. HUBBARD. Any action taken by me in connection with my employment—

Mr. MOSER. I think not. It implies the communications between you and the client and not letters and conversations between you and the client, but any steps taken by you, I think, should not be excluded.

Mr. HUBBARD. The rule reads as follows. I copied it a moment ago from volume 31 of the Florida Statutes Annotated, page 417: "It is the duty of a lawyer to preserve his client's confidences."

Now, if you are going to interpret the word "confidences" to mean communications between us, that is one thing. I interpret it as being any action I took in connection with the matter he employed me on. The fact that a person should come into my office and inquire of me as to whether or not I should take a case, and if I decline the case, that is a privileged communication.

The CHAIRMAN. Mr. Hubbard, would you carry that so far, just taking a hypothetical case, if you had been engaged by a client and he had certain conversation and you had gone out, or an attorney had gone out—forgetting yourself; I don't mean to imply that it would happen in your case—but an attorney had gone out and committed some wrongful act or was guilty of a violation of a law, he would be protected by reason of the fact that he wasn't in on his client's business?

Mr. HUBBARD. If he divulged to me that he was in any illegal business. Mr. Craig never did any illegal business.

The CHAIRMAN. If the attorney had gone out pursuing his client's business, had been engaged in some illegal act or done something wrongful, that he would be protected from discussing it just because he had a case or client?

Mr. HUBBARD. No, I don't believe so. I am conscious that I have done no wrongful act.

The CHAIRMAN. It is a hypothetical case.

Mr. MOSER. I think the decisions are different from your own view. I think they indicate that the privilege is limited to communications between the client and his lawyer, but not with respect to actions taken by the lawyer pursuant to those communications.

Mr. HUBBARD. Will you raise your voice a little?

Mr. MOSER. I think the communications are limited, and do not extend to action taken by a lawyer. For example, if you have a conversation with your client and he tells you to go to Tallahassee, and you go to Tallahassee, the fact that you went there is not privileged. The conversation between you and the client is privileged, but not the fact that you went there.

Mr. HUBBARD. We differ on opinion.

Mr. RICE. Do you recall when I called on you the other day and I introduced myself as a representative of the Senate Crime Committee?

Mr. HUBBARD. Yes, sir.

Mr. RICE. You knew who I was?

Mr. HUBBARD. Yes, sir.

Mr. RICE. And we had a conversation; didn't we?

Mr. HUBBARD. Yes, sir.

Mr. RICE. And we talked about many things?

Mr. HUBBARD. That's right.

Mr. RICE. Do you feel that there is a possibility that you are now in a position to assert a privilege that you waived at that time?

Mr. HUBBARD. I told you, at the outset, that I thought I had probably technically violated the canons of legal ethics when I discussed it privately with you and Mr. Mills, but I didn't care to violate it again in public.

Mr. RICE. You feel that at that time you did waive or violate your attorney-client relationship?

Mr. HUBBARD. I can talk to you as one attorney to another; yes, sir.

Mr. RICE. Having once opened the door, you feel that it is possible to close the door later on?

Mr. HUBBARD. Yes, I do. I think it should be publicly brought out that you would have to testify.

Mr. RICE. All right, sir. I show you several documents, and ask you if you know what they are?

Mr. HUBBARD. They are not marked for identification; but the first paper you handed me reads, "The Blackstone, Chicago," and there appears in my handwriting my name and address.

Mr. RICE. Yes, sir.

Mr. HUBBARD. As registering and having been assigned to rooms 1204, 5, and 6. A paper attached to that is labeled, "City Ledger Transfer," of the Blackstone Hotel, showing certain charges for the accommodations.

Mr. RICE. What is the date of that, Mr. Hubbard?

Mr. HUBBARD. The registration is April 21, 1949, 4:59 p. m. The checkout the same day is 9:36 p. m.

The next paper is the registration of one R. M. Craig, 136 Northeast First Street, Miami, Fla., dated April 21, at 4:59 p. m. He is assigned to the same suite of rooms. And the next yellow copy, attached to it, is a ledger account showing the amounts paid; check-out at 9:36 p. m. the same day.

Mr. RICE. So that you have there two cards indicating registration of yourself and Raymond Craig at the Blackstone in April 1949, in the same suite; is that right?

Mr. HUBBARD. That is what they appear to be.

Mr. RICE. Is that what they are?

Mr. HUBBARD. That is what they appear to be.

Mr. RICE. What were they?

Mr. HUBBARD. I refuse to answer on the ground that it would be a violation to my oath of the canons of ethics of the American bar.

Mr. RICE. Yes, sir. We will offer those records, Mr. Chairman.

The CHAIRMAN. They will be admitted.

(Said documents as above identified received, marked "Exhibits Nos. 12 and 13," respectively, and appear in the appendix on pp. 231 and 233.)

Mr. RICE. What were you doing in Chicago on that occasion?

Mr. HUBBARD. I refuse to answer on the ground that it would be a violation of rule B, paragraph 37, of the canons of ethics of the American bar.

Mr. RICE. While you were in Chicago on an occasion did you see William H. Johnston, sometimes known as Bill Johnston?

Mr. HUBBARD. I again refuse to answer on the ground that it would be a violation of rule B, paragraph 37, of the canons of the American bar.

The CHAIRMAN. May I ask you, were you counsel for Mr. Johnston?

Mr. HUBBARD. I was counsel for Mr. Craig.

The CHAIRMAN. You were not asked anything with regard to Mr. Craig in this connection, as I understand it. The question merely goes to the point of whether you had conversations with Mr. Johnston in Chicago on or about that date.

Mr. HUBBARD. I did have in connection with Mr. Craig's business; yes, sir.

The CHAIRMAN. You have answered the question then. Next question, Mr. Rice.

Mr. RICE. Did you say that you saw Johnston, that you had conversations with Johnston at that time?

Mr. HUBBARD. In connection with Mr. Craig's employment.

Mr. RICE. At that time did you discuss the off-track bookie bill with Johnston?

Mr. HUBBARD. I refuse to answer on the ground previously stated, that it would be a violation of my employment by Mr. Craig, under rule B, paragraph 37, of the canons of legal ethics.

Mr. RICE. I ask that the Chair direct the witness.

The CHAIRMAN. You stated that you had the conversations with Mr. Johnston. Were those conversations held with him alone or in the presence of anybody else.

Mr. HUBBARD. In the presence of Mr. Craig.

The CHAIRMAN. Did you have many such conversations?

Mr. HUBBARD. About 20 or 30 words.

The CHAIRMAN. How many times did you meet?

Mr. HUBBARD. Once.

The CHAIRMAN. That was the extent of your contact?

Mr. HUBBARD. Yes, sir.

The CHAIRMAN. Was the entire conversation in Mr. Craig's presence?

Mr. HUBBARD. Yes, sir.

Mr. RICE. Did that take place in the office at Sportsman's Park?

Mr. HUBBARD. Yes, sir.

Mr. RICE. Did Mr. Johnston's car meet you at the airport?

Mr. HUBBARD. I don't know whose car it was. It was some car.

Mr. RICE. How did it happen that you went to the Blackstone?

Mr. HUBBARD. That is where I had had reservations made.

Mr. RICE. By whom?

Mr. HUBBARD. By Mr. Johnston.

Mr. RICE. Now, then, Johnston lived there; did he not?

Mr. HUBBARD. I never have been in Mr. Johnston's home. I think he lives in Jacksonville.

Mr. RICE. You say you didn't know who he was or where he lived?

Mr. HUBBARD. Sir?

Mr. RICE. You say you didn't know who he was or where he lived?

Mr. HUBBARD. I didn't know who met me at the plane and took me to the Blackstone Hotel or to the Sportsman's Park office. It was some driver in a car.

Mr. RICE. What communications did you have with Mr. Johnston by which he arranged your reservations at the Blackstone?

Mr. HUBBARD. It was a conversation over the telephone, long distance from Jacksonville, Fla.

Mr. RICE. I take it that you called Johnston on the telephone from Jacksonville?

Mr. HUBBARD. Yes, sir.

Mr. RICE. Where in Jacksonville?

Mr. HUBBARD. Roosevelt Hotel.

Mr. RICE. You were staying at the Roosevelt then?

Mr. HUBBARD. I had gone to Jacksonville looking for Mr. Johnston in Jacksonville, where he wasn't home, and when he wasn't there, I was referred to Sportsman's Park, where he wasn't at home.

Mr. RICE. Why were you referred to Mr. Johnston; why were you looking for Mr. Johnston?

Mr. HUBBARD. In connection with Mr. Craig's business that he had employed me about.

The CHAIRMAN. Has Mr. Johnston any business interests here in Florida?

Mr. HUBBARD. I understand from your committee reports that he has.

The CHAIRMAN. What is your knowledge of that?

Mr. HUBBARD. I understood he owned a dog race track at Miami Beach or has an interest in it, and is an officer of it, and has a dog racing track in Jacksonville or thereabouts.

The CHAIRMAN. That is the same Johnston we were talking about?

Mr. HUBBARD. Yes, sir.

The CHAIRMAN. I wanted to identify him.

Mr. RICE. As a result of that telephone call you took an airplane and went to Chicago; is that right, from Atlanta, from Atlanta to Chicago?

Mr. HUBBARD. Changed at Atlanta.

Mr. RICE. And then to the Blackstone Hotel, and then to Sportsman's Park, and you conferred with Johnston?

Mr. HUBBARD. That's right.

Mr. RICE. Then you left there, checked out of the hotel, and went to Tallahassee; is that right?

Mr. HUBBARD. Yes.

Mr. RICE. Did you see Fuller Warren in Tallahassee?

Mr. HUBBARD. When?

Mr. RICE. On that trip?

Mr. HUBBARD. No, sir.

Mr. RICE. Did you have breakfast at Fuller Warren's house or mansion?

Mr. HUBBARD. On several occasions. He was not present, however.

Mr. RICE. He was not present?

Mr. HUBBARD. No, sir.

Mr. RICE. Do you want to say that you did not see Fuller Warren on this trip, either going to Chicago or coming from—

Mr. HUBBARD. I had not seen Fuller Warren except at his public appearances since his inauguration until after the legislature met and adjourned that year. I saw him on the occasion of the night after the legislature adjourned getting into his car down in front of the capitol to go to the mansion. We just exchanged words.

Mr. RICE. You went to the mansion for breakfast, but you did not see Governor Warren; is that correct?

Mr. HUBBARD. That's right.

The CHAIRMAN. Governor Warren?

Mr. HUBBARD. Governor Warren, that's right.

Mr. RICE. Where did you stay in Tallahassee?

Mr. HUBBARD. At the Prince Murad Motor Court.

Mr. RICE. Is that Cy Deeve's place there?

Mr. HUBBARD. I think it is owned by one of Cy Deeve's corporations.

Mr. RICE. You know Cy Deeves?

Mr. HUBBARD. I have known Cy Deeves for many years.

Mr. RICE. That was the reason you stayed at the Prince Murad; isn't that right?

Mr. HUBBARD. That's correct, and because I couldn't get reservations at any of the downtown hotels.

Mr. RICE. Before or after leaving Chicago on this trip did you talk with B. K. Roberts?

Mr. HUBBARD. No.

Mr. RICE. Are you sure about that?

Mr. HUBBARD. I am positive. I talked with him, but not about Mr. Craig's business.

Mr. RICE. When did that conversation take place?

Mr. HUBBARD. I employed Mr. Roberts to represent my firm in connection with the appeal of the writ of habeas corpus in the Cecil H. Connors case before the Supreme Court, but I didn't discuss any of the matters that I was in Tallahassee for when I was up there at the legislature with Mr. B. K. Roberts.

Mr. RICE. Did you see Mr. Roberts before you went to Chicago?

Mr. HUBBARD. No, sir.

Mr. RICE. Did this all take place after your return?

Mr. HUBBARD. During the interim of 30 days that I was in Tallahassee—in and out of Tallahassee—I discussed the matter of a lawsuit with Mr. Roberts, the Connors case, and employed him to represent us.

Mr. RICE. Did Mr. Craig remain up there with you during that time?

Mr. HUBBARD. No, sir. Mr. Craig was in and out of town.

Mr. RICE. He was in and out of town?

Mr. HUBBARD. Yes, sir. We had a three-room cottage at the Prince Murad, and he was either in Tallahassee or in Miami, back and forth, much the same as I was.

Mr. RICE. Did you see John Rush while you were there?

Mr. HUBBARD. Persons always see John Rush in Tallahassee. During the legislative session I saw him.

Mr. RICE. Did you discuss this off-track bookie bill with him?

Mr. HUBBARD. Mr. Rush stated he was for it, and he would help us any way he could. I didn't know why until your committee took some testimony some months ago, and he admitted to the committee that he had gotten a fee from somebody at the beach to draw a bill like ours.

Mr. RICE. I believe that was George Bowers, of the S. & G. Syndicate?

Mr. HUBBARD. I don't know it was. All I know is what I read in the papers, and I rarely believe that.

Mr. RICE. Did he indicate that he had a communication from Bill Johnston about your trip out there?

Mr. HUBBARD. About my trip from Chicago?

Mr. RICE. Yes. I think you had indicated to me the other day, to refresh your recollection, that Rush came to you and said something

about the Craig bill, which indicated that he knew that you had been in Chicago discussing it with Johnson.

Mr. HUBBARD. I don't believe that I said that Mr. Rush knew I had been to Chicago, because at that time I didn't think anyone knew that I had been to Chicago besides Mr. Craig, Mr. Johnston, and myself. I stated that Mr. Rush told me that Mr. Johnston had seen Mr. Craig's bill and was very much pleased with it. In the event they didn't pass a sales tax, he wanted Fuller Warren to be the best Governor Florida had ever had, and he thought that it would be a revenue measure which would make up the differences in the budget.

Mr. RICE. Was there any discussion about the reduction of the residence required from 10 to 5 years?

Mr. HUBBARD. No, sir.

Mr. RICE. Did you discuss the bill with or did you run into Benny Cohen, S. & G. Syndicate lawyer, while you were in Tallahassee?

Mr. HUBBARD. I didn't run into him. I met him in some restaurant there when I was eating lunch. He is a brother lawyer here in Miami, and I have high regard for him.

Mr. RICE. Did you discuss the bill with him?

Mr. HUBBARD. I discussed the bill with everybody who would listen to me discuss it.

Mr. RICE. Did he indicate that the S. & G. was behind the bill?

Mr. HUBBARD. He indicated that they were going to get behind it if the sales tax did not pass. I said, "It will be too late now," or words to that effect.

Mr. RICE. To Benny Cohen?

Mr. HUBBARD. That's correct.

Mr. RICE. What did he say to that?

Mr. HUBBARD. He said, "Well, we will be behind it." Well, I said, "you are all the way behind it," and then some facetious remark or other, and then we left each other.

Mr. RICE. Didn't he say they had already obtained the backing of S. & G., or were talking about financial backing?

Mr. HUBBARD. I didn't state the financial backing of S. & G. or any other gamblers.

Mr. RICE. Didn't he indicate that financial backing had already been supplied by S. & G.?

Mr. HUBBARD. No, sir; he did not. He indicated that he was up there to kill some bill that would take away the licenses of the hotels or innkeepers where they were convicted of bookmaking on their premises, and he was laughing that he had successfully defeated the bill.

Mr. RICE. Did you ever discuss the bill with Fuller Warren?

Mr. HUBBARD. No, sir; I had not.

Mr. RICE. With Governor Fuller Warren; did you ever discuss the bill with him?

Mr. HUBBARD. No, sir, I never have; no, sir.

Mr. RICE. You never have discussed the bill with him. Why did you go to see Bill Johnston in connection with this bill?

Mr. HUBBARD. The bill was introduced with some thirty-odd co-signers or introducers in the house and several in the senate. The bill was then pending before the committees of both houses, both the house

and senate, and it was thought by several members of the house in their discussions with me that it was sure of passage should it make the floor of the house and senate. I thought that if it did pass there was danger that Governor Warren would veto it. I knew that Mr. Johnston was a long-time friend of Governor Warren's. I knew that he was in the racing business and I knew that he would be the logical man to whom Governor Warren would turn for advice concerning racing legislation.

Mr. RICE. Did you feel that——

Mr. HUBBARD. I thought that I was being smart by going to try to sell a bill of goods to Mr. Johnston in Chicago. I wasn't asking him for any support, financially or otherwise, but to edit and go over the bill in a lefthanded sort of way in my mind, to have him primed when Governor Warren asked him what he thought of it. I wanted to know what his natural objections were, so that I could eliminate them if possible.

The CHAIRMAN. Are we to understand that you thought that it would be inevitable that the Governor would seek Mr. Johnston as to his, the Governor's, action in the final analysis?

Mr. HUBBARD. Mr. Chairman, the only way a man can act is how he would do himself, and if I were Governor, and God forbid, I would turn to anyone who was a specialist in any particular branch of work. If it was a tax bill, eventually I would turn to some tax expert. If it was racing or something modifying racing, I would turn to my friends who knew about racing. I thought that, inasmuch as Mr. Johnston was a friend of Mr. Warren's and I knew him to be such during Mr. Warren's campaign for governor, he was the logical man that Governor Warren would turn to for advice concerning a racing measure, and I wanted to prime Bill Johnston with full knowledge of this bill before it passed the house and the senate. I knew that it would pass the house and senate if they did not pass the sales tax, because they needed the revenue that it would give them.

Mr. RICE. Now, sir, when you went to see Johnston did you know that Johnston had contributed heavily to Governor Warren's campaign?

Mr. HUBBARD. I didn't, and I don't know yet how heavily, but I knew he was a contributor to his campaign, and I knew that he was vitally interested in Mr. Warren's campaign. I had met him in Jacksonville at the Roosevelt Hotel during Mr. Warren's campaign for governor, in connection with the rally up there.

Mr. RICE. I want to thank you, Mr. Hubbard, and again I ask you to help us out in locating Mr. Craig. We would like to see him before we leave town.

Mr. HUBBARD. Mr. Chairman, I am due before the supreme court to argue a matter tomorrow morning at Tallahassee, which will make it necessary for me to leave at 7:05 on Eastern Airline. I shall call Mr. Craig's office and social acquaintances when I leave the room and do everything I can to get him for you.

The CHAIRMAN. Thank you. That is as much as we will ask you. We are most anxious to have him. We wouldn't expect you to forego that important legal commitment; however, if you can do that, we would be much obliged to you.

Mr. HUBBARD. Do I understand that I am excused from further attendance on the committee?

The CHAIRMAN. Yes, sir.

(Witness excused.)

TESTIMONY OF DAVID W. HALL, CORAL GABLES, FLA.

The CHAIRMAN. Do you before Almighty God solemnly swear that the testimony you will give will be the truth, the whole truth and nothing but the truth, so help you God?

Mr. HALL. I do.

The CHAIRMAN. Your full name, please.

Mr. HALL. David W. Hall.

The CHAIRMAN. And your address?

Mr. HALL. Coral Gables, Fla.

The CHAIRMAN. Will you be good enough to keep your voice up so that we can all hear you?

Mr. RICE. You are an accountant, Mr. Hall?

Mr. HALL. Certified public accountant.

Mr. RICE. Where are your offices?

Mr. HALL. 1216 Ingraham Building, Miami, Fla.

Mr. RICE. I show you a letter of November 6, 1950, bearing your signature, and directed to Mr. N. Paul Cronin, Aberdeen, Md., and ask you if you recognize it?

Mr. HALL. Yes.

Mr. RICE. What does it say?

Mr. HALL (reading):

I herewith hand you a corrected deed by Ethel G. Sullivan and James Sullivan, her husband, to Thomas A. Rice and Ruth M. Rice, his wife. According to advice received from John W. Muskoff, attorney, this deed is to be recorded in Harford County, Md., and mailed to Maj. Thomas A. Rice in Aberdeen, Md., by the court clerk. It is also understood that recording costs and stamp taxes are to be reimbursed to you by John W. Muskoff, attorney, 1105 Graham Building, Jacksonville, Fla.

Very truly yours,

DAVID W. HALL, C. P. A.

Mr. RICE. It is signed by you?

Mr. HALL. Yes.

The CHAIRMAN. It will be admitted in evidence.

(Said letter as above identified received and marked "Exhibit No. 14.")

Mr. RICE. Tell us about the circumstances surrounding the writing of that letter; what caused you to write it?

Mr. HALL. Mr. Muskoff sent the deed down here.

Mr. RICE. That is the lawyer who was here this morning?

Mr. HALL. Yes. And asked me to have it properly signed and notarized and mailed to Mr. Cronin, as the letter says.

Mr. RICE. Why did he ask you, Mr. Hall?

Mr. HALL. Well, he was in Jacksonville.

Mr. RICE. Muskoff was?

Mr. HALL. Muskoff was, and he prepared the deed.

Mr. RICE. Yes.

Mr. HALL. And the persons who were to sign the deed were in Miami. He could have sent it to anyone else, as far as that goes.

Mr. RICE. Who were the persons who were to sign the deed?

Mr. HALL. Ethel G. Sullivan and James Sullivan, her husband.

Mr. RICE. Why did he pick you out to send that deed to; were you representing them?

Mr. HALL. Oh, yes.

Mr. RICE. Were there any preliminary transactions before that?

Mr. HALL. Concerning the deed?

Mr. RICE. Did you have any other correspondence with Muskoff about the deeds?

Mr. HALL. I don't know that I did.

Mr. RICE. Were you advised to receive a letter from Muskoff in Jacksonville telling you to go and get the deed signed?

Mr. HALL. No.

Mr. RICE. What is your relationship there which made it a normal matter, if it was?

Mr. HALL. I don't understand your question. He sent the deed to me to have it signed and mailed to Maryland.

Mr. RICE. Were you handling some affairs for the Sullivans?

Mr. HALL. Oh, yes; I had been retained by them.

Mr. RICE. To do what?

Mr. HALL. As a certified public accountant, to represent them in an income-tax investigation.

Mr. RICE. Oh, I see. And Mr. Muskoff, I take it, is in the same picture?

Mr. HALL. I didn't have anything to do with retaining him.

Mr. RICE. I show you another paper and ask you if you recognize this? What is it?

Mr. HALL. Yes; I recognize it.

Mr. RICE. What is it?

Mr. HALL. That is a deed dated the 6th day of November 1950, by Ethel G. Sullivan and James Sullivan, her husband, to Thomas A. Rice and Ruth M. Rice, his wife, whose address is Aberdeen, Md. I believe that this is the same deed that the letter refers to.

Mr. RICE. Who signed the deed?

Mr. HALL. Ethel G. Sullivan and James Sullivan.

Mr. RICE. Who witnessed the signatures?

Mr. HALL. I witnessed the signatures and Verta A. Smith witnessed the signatures.

Mr. RICE. Which signature did you witness?

Mr. HALL. I witnessed both of them.

Mr. RICE. You witnessed both signatures?

Mr. HALL. I believe—now, I don't know, sir. Let's see [referring to document].

Mr. RICE. Do you recall the circumstances surrounding the signing?

Mr. HALL. Yes; I do.

Mr. RICE. Did you at that time take it to the house?

Mr. HALL. Both of them came to my office. I had the deed in my office. Mr. Muskoff had mailed it to me.

Mr. RICE. Both persons came and signed in your presence?

Mr. HALL. Yes.

Mr. RICE. Who is this Verta A. Smith?

Mr. HALL. She was a young lady who worked in my office at the time.

Mr. RICE. She also witnessed it at the same time?

Mr. HALL. Yes, sir.

Mr. RICE. You see there a legal description of the property, and right underneath there is something corrected or substituted.

Mr. HALL. It says:

This deed is for correction of that certain deed recorded in Deed Land Record Book 337, G. R. G., page 77.

Mr. RICE. What was it about the deed that needed correcting; do you know?

Mr. HALL. The other deed, as Mr. Muskoff testified this morning, apparently was incorrectly executed.

Mr. RICE. In what way?

Mr. HALL. Well, Mr. Muskoff said that the witness could not have been present with the signers of the deed.

Mr. RICE. Was there anything else incorrect about it?

Mr. HALL. I am not an expert witness. I have heard here in this hearing today that one of the signatures was not genuine. There was an opinion expressed as to that.

Mr. RICE. Was any discussion had by you with either of the Sullivans about the signatures not being genuine on the previous one?

Mr. HALL. Well, Mr. Rice, I hold a certificate from the State of Florida to practice the profession of public accountant—

Mr. RICE. Yes, sir.

Mr. HALL. And I am regulated by the laws of the State, chapter 473, section 15, of the Florida Statutes, which prohibits me from testifying as to any of the business or affairs of any client or clients for whom I make an investigation, without the written consent of the client or clients or their legal representatives. I do not have the written consent of my clients to testify in this matter, and I should like to say that should I do so I would lose my certificate.

Mr. RICE. I see.

Mr. HALL. I would also lose my enrollment before the Treasury Department, and also be subject to a suit for damages.

Mr. RICE. We take it from that, Mr. Hall, that you would rather not answer?

Mr. HALL. No; I didn't say that. I am prohibited from answering.

Mr. RICE. I see. You are quite certain about that?

Mr. HALL. Yes, sir.

Mr. RICE. All right, we will—

Mr. HALL. I might say this, Mr. Rice; rather than let you think I am trying to obstruct your work—

Mr. RICE. Oh, no.

Mr. HALL. That I had testified fully in this matter before the Bureau of Internal Revenue. In order to be enrolled before the Bureau of Internal Revenue, it is necessary that I waive my privilege, which I did do, and the information that you may want to receive from me here today will be available to you there, and if it is not sufficient for your purposes, of course I will be glad to appear before them again and testify further in the matter.

Mr. RICE. We appreciate your offer. I think the exhibit has already been offered.

The CHAIRMAN. It has been accepted.

That is all.

(Witness excused.)

Mr. RICE. James Alexander Sullivan.

Mr. KEHOE. Mr. Chairman, I represent Mr. Sullivan and I will tell him to come in as soon as these lights and cameras are turned off.

The CHAIRMAN. Will you state your name, please?

Mr. KEHOE. Jack Kehoe.

The CHAIRMAN. You are counsel for James Sullivan?

Mr. KEHOE. Yes, sir.

The CHAIRMAN. And is it your position and his position that he desires to testify without being televised; is that right?

Mr. KEHOE. It is our position that we will not testify with the television cameras and these other cameras on, for his sake as well as for mine. I do not care to be disturbed by that constant flashing of bulbs.

The CHAIRMAN. Of course, you understand that flash photographs are not taken during the examination?

Mr. KEHOE. Except that I have seen them taken here today repeatedly.

The CHAIRMAN. I must disagree with you. I think the press has been most cooperative.

Mr. KEHOE. I don't know whether you call those flashlights or not. They are annoying; they make it difficult to speak and are annoying to the eyes.

The CHAIRMAN. All right. It is the ruling of the committee.

Mr. KEHOE. The cameras are still on, I am informed.

The CHAIRMAN. It is the rule of the committee that in cases where the witness, either personally or through his counsel, takes the position that he cannot testify calmly and with deliberation if the lights are trained on him, that those lights shall not be on and pictures shall not be taken. The committee adheres to that and abides by the request of counsel that that shall not be done during his witness' examination.

(NOTE.—At this point the witness Sullivan appears in the hearing room.)

TESTIMONY OF JAMES A. SULLIVAN, MIAMI, FLA., ACCOMPANIED BY JACK KEHOE, ATTORNEY

The CHAIRMAN. Mr. Sullivan, do you before Almighty God swear that the testimony you will give will be the truth, the whole truth and nothing but the truth, so help you God?

Mr. SULLIVAN. I don't think——

Mr. KEHOE. I don't think this gentleman (pointing to cameraman) understands the Chair.

The CHAIRMAN. No pictures will be taken of the witness. You have been given the oath, Mr. Sullivan. Do you before Almighty God swear that the testimony you will give will be the truth, the whole truth and nothing but the truth, so help you God?

Mr. SULLIVAN. I do.

Mr. KEHOE. Mr. Chairman, at this time, on behalf of Mr. Sullivan, I wish to advise this committee now that since last testifying before this Senate committee, the Federal grand jury for the southern district of Florida, including Dade County, has taken under its consideration and presently has under its consideration, questions concerning tax

returns of Mr. and Mrs. Sullivan for prior years. That gives an entirely different status now from that which existed when he previously appeared before this committee, and we hope that this committee will see fit not to ask any questions that will be prejudicial or embarrassing in view of that situation.

The CHAIRMAN. The committee has no intention of pursuing that line of inquiry. If the witness declares that that matter is under investigation, it is not our purpose to prejudice in any way at all the matter, and therefore we have no desire to pursue a line of questioning which might bear upon any tax difficulties.

Mr. KEHOE. I might state that the basis of the tax question is fixing a net worth for a period, which would include all profits and moneys that he has acquired through a period of years.

The CHAIRMAN. Of course, counsel, we will meet the particular question when we come to it. We do not mean by that, counsel, that any question concerning any isolated holding would be properly excludable, but we will meet that question when we come to it. Again I repeat that it is not our purpose to direct the questions so as to involve his tax difficulties.

Mr. KEHOE. For the sake of brevity, may we have this stipulation in the record: Should such a question be propounded and a proper statement made as to refusal to answer, could he then thereafter refuse to answer further questions and read from the stipulation as previously stated?

The CHAIRMAN. I think so, if it would be preferable to you.

Mr. KEHOE. If he has it written out, he can give it to you.

The CHAIRMAN. You will remain with him?

Mr. KEHOE. Yes, sir; I will be with him, and he can take up just that much more time of the committee, if you want him to.

The CHAIRMAN. Mr. Rice, will you proceed?

Mr. RICE. Your full name is James Alexander Sullivan?

Mr. SULLIVAN. Yes, it is.

The CHAIRMAN. Where were you born, Mr. Sullivan?

Mr. SULLIVAN. Here in Florida.

Mr. RICE. Whereabouts?

Mr. SULLIVAN. Kissimmee.

Mr. RICE. On what date?

Mr. SULLIVAN. October 7, 1906.

Mr. RICE. What were the names of your parents?

Mr. SULLIVAN. Sullivan.

Mr. RICE. What is your father's name?

Mr. SULLIVAN. James Sullivan.

Mr. RICE. What was your mother's name?

Mr. SULLIVAN. Christine Sullivan.

Mr. RICE. You have appeared before the committee before, I believe, and you gave some testimony about certain matters that we would like to clear up here a little bit.

Mr. KEHOE. Will you refer to the page, Mr. Rice, so that I can keep track of you?

Mr. RICE. Yes. I am looking at pages 317 and 318 in part 1 of the record. You have colloquy there in which you discussed a property transaction in which you bought a piece of property from a Mr. Ford. Do you recall that?

Mr. KEHOE. The defendant will stand on his constitutional right and decline to answer any question concerning his acquisition of property, because it will go to his net worth and will infringe upon his right in the fifth amendment of the Constitution.

Mr. RICE. Who is Carvel Ford?

Mr. SULLIVAN. He is my wife's uncle.

Mr. RICE. Your wife's uncle?

Mr. SULLIVAN. I think, I don't know, half-brother or, I believe, her father was his half-brother.

Mr. RICE. Half-brother of Tred Ford?

Mr. SULLIVAN. I believe, I am not sure——

Mr. RICE. Where is Carvel Ford now?

Mr. SULLIVAN. He is dead.

Mr. KEHOE. Mr. Chairman, this photographer here apparently does not pay much attention to the admonition that was given to him, and I will make this request now: that the negatives be taken from this camera and destroyed here publicly. I think he has violated the admonition of the Chair.

The CHAIRMAN. The Chair observes that ruling. We must ask the photographer to kindly desist from further photographing the witness while he is in the course of his testimony.

Mr. KEHOE. That is the third snap that he has made. How many have you taken, Mr. Photographer, three?

The PHOTOGRAPHER. I made one.

Mr. KEHOE. Where is the negative? Hand it over.

The CHAIRMAN. We will take charge of it, Counsel.

Mr. KEHOE. I meant for him to hand it over to the committee.

The CHAIRMAN. We will ask the photographer kindly to surrender the negative. You are at liberty to take them outside of the courtroom or before the witness begins his testimony, but not during the testimony of the witness.

The PHOTOGRAPHER. As I understand it, he objected to the lights.

The CHAIRMAN. Yes, but no photographs were to be taken during the interrogation. We will have to ask you to surrender it.

Mr. KEHOE. I want to again emphasize on the snapping or the clicking of the shutters, just as much as with regard to the lights.

Mr. RICE. All right, sir. We have Carvel Ford as being an uncle of your wife or at least a half-brother of your wife's father; is that right?

Mr. SULLIVAN. Well, she calls him uncle. I don't know what; he is half-brother, I think.

Mr. RICE. He left and went to Illinois and has since died?

Mr. SULLIVAN. Yes.

Mr. RICE. Did you ever buy a piece of property from Carvel Ford?

Mr. KEHOE. We refuse to answer on the same ground as stated.

Mr. RICE. Would you mind letting the witness answer the question, Mr. Counsel?

Mr. SULLIVAN. I refuse to answer that question at the present time. The Federal grand jury of the southern district of Florida has under consideration an investigation of my income-tax returns for prior years, and I feel that if I should answer that question I might incriminate myself. I, therefore, claim my constitutional privilege upon the fifth amendment and will decline to answer the question.

Mr. RICE. You are reading from a piece of paper?

Mr. SULLIVAN. Yes, sir.

Mr. RICE. Did you prepare that piece of paper?

Mr. SULLIVAN. Yes, sir.

Mr. RICE. You wrote that yourself?

Mr. SULLIVAN. I didn't write it; it is typewritten.

Mr. RICE. It is typewritten?

Mr. SULLIVAN. Yes.

Mr. RICE. Did you write it before it was typewritten?

Mr. KEHOE. If the committee is interested, I prepared it and gave it to him, as I told you at the beginning. I told you that I prepared the paper and had given it him, or we can stipulate that that will carry over as the same objection.

Mr. RICE. I think we are entitled to proceed with our line of inquiry to determine the nature of his objection from the witness himself. He is testifying under oath, and the witness may be held in contempt.

Mr. CHAIRMAN. Counsel, you are free to advise him in any way at all, of course; but we do desire to have the response from the witness.

Mr. KEHOE. But, as to the question that was asked about this, I don't think it would take too much thinking to know that some attorney had prepared it, and I stated that I did prepare it before the interrogation started, and I think I gave it to him to read if need be.

Mr. RICE. With respect to the question about whether or not you bought a piece of property from Carvel Ford, is your refusal to answer predicated upon a fear of Federal or State prosecution?

Mr. SULLIVAN. Mr. Chairman, I will refuse to answer that question for the same reason. If you wish me to read it, I will do so.

Mr. CHAIRMAN. No. You need not read that again. The question, Mr. Sullivan, is as to whether you fear prosecution on a State or Federal offense, just that narrow issue and on that single question.

Mr. SULLIVAN. Mr. Chairman, I will read the whole thing here to you again, if you wish.

Mr. MOSER. It will be sufficient that you refuse to answer on the same ground.

Mr. SULLIVAN. I refuse to answer on the same grounds.

The CHAIRMAN. The committee directs that you answer, and you still persist in your refusal?

Mr. SULLIVAN. Yes, sir.

The CHAIRMAN. All right; next question.

Mr. RICE. Does the offense which you have in mind involve yourself or others?

Mr. SULLIVAN. I don't believe I quite understand you.

Mr. RICE. You have taken the position that you refuse to answer because you are afraid you may incriminate yourself; is that right?

Mr. SULLIVAN. Well, I will just have to answer you the same way that I have before.

Mr. RICE. We are trying to get at the basis for what you call your assertion of your privilege.

Mr. KEHOE. Mr. Chairman, I think this is well stated. It states specifically that at the present time the Federal grand jury in the southern district of Florida has under consideration an investigation of his income-tax returns. Now, that is limited to one court, to one district, the southern district of Florida, and to one offense, his

income-tax returns, and it is because of that pending matter that he fears incrimination and claims protection under the fifth amendment to the Constitution; that and nothing else.

Mr. MOSER. The privilege then is based solely on the basis of Federal income-tax liability?

Mr. KEHOE. Correct.

Mr. MOSER. If he is asked any questions not based on Federal income-tax liability; is that correct?

Mr. KEHOE. It is not correct. Any questions that go to his earnings, net worth, are questions that he is going to decline to answer.

Mr. MOSER. Only to the extent that they relate to his Federal income-tax liability; is that correct?

Mr. KEHOE. No; it is not that limited.

The CHAIRMAN. Just a minute now. Are you counsel in this matter [referring to Mr. Muskoff]?

Mr. MUSKOFF. I represent Mr. Sullivan along with Mr. Kehoe.

The CHAIRMAN. We would like to have one spokesman. Do the two of you represent him?

Mr. KEHOE. We both represent him.

The CHAIRMAN. I understood, when you came up here, that you were representing Mr. Sullivan.

Mr. KEHOE. I am representing Mr. Sullivan here today.

The CHAIRMAN. Well, we will recognize you.

Mr. KEHOE. The question that the gentleman put there is too narrow a question as a matter of law.

Mr. RICE. Let me ask this: Did the transaction for which you fear prosecution occur more than 10 years ago?

Mr. KEHOE. I object to it, if the committee please; it is a prejudicial question.

Mr. RICE. Let us hear from the witness. The witness cannot have a hypothetical set of facts in mind. He must have a specific violation in mind when he asserts the privilege.

Mr. KEHOE. Yes; and I understand the wide latitude of the Senate investigating committee, and I also understand the limitations of it. You are inquiring into a matter that will throw some light on proposed Federal laws to regulate any interstate traffic in crime. What happened 10 years ago as to any property that he may have acquired could not be, in view of the existing record and from the pages you quoted and stated you were basing these questions upon——

Mr. RICE. We cannot agree with you on that. Let me repeat it.

Mr. KEHOE. You said, referring to page 317 and the year 1948, so that the 10 years is a fictitious proposition.

Mr. RICE. It may be.

Mr. KEHOE. If it is fictitious, let us meet it.

Mr. RICE. We are entitled to inquire and to fix with sufficient definiteness as to whether or not the witness is entitled to such privilege. That is merely our line of inquiry now. Did the transaction from which you fear prosecution occur more than 10 years ago?

Mr. SULLIVAN. Mr. Chairman, I don't know how to answer that man. I don't get it. I don't fear nothing, but I don't know how to answer this man here about this; so I will refuse to answer the question on the same ground.

The CHAIRMAN. The committee instructs you to answer it, and you still persist in your refusal to answer; is that right, counsel?

Mr. KEHOE. Yes, sir.

The CHAIRMAN. The next question, please.

Mr. RICE. I think I will suggest that the Chair direct the witness to answer that question.

The CHAIRMAN. Well, he has been directed. Mr. Sullivan, do you still refuse to answer? Having been directed by the committee to answer the question, you still refuse to answer it?

Mr. KEHOE. It is the same question; isn't it?

The CHAIRMAN. What is your position?

Mr. SULLIVAN. I will refuse to answer the question for the same reason, Mr. Chairman.

Mr. RICE. All right, sir. Do you know a man by the name of John Mobley?

Mr. SULLIVAN. Yes; I do.

Mr. RICE. Who is John Mobley?

Mr. SULLIVAN. He is a citizen here in Miami and a businessman.

Mr. RICE. What business is he in?

Mr. SULLIVAN. Tire business, service-station business. He has quite a number of businesses, I guess.

Mr. RICE. Was he recently on a grand jury?

Mr. SULLIVAN. Yes; he was.

Mr. RICE. As a member of a Dade County grand jury?

Mr. SULLIVAN. Yes; he was.

Mr. RICE. Do you know that he was?

Mr. SULLIVAN. Oh, yes.

Mr. RICE. Did you have any conversations with Mr. Mobley during the time he was a member of that grand jury?

Mr. SULLIVAN. I believe possibly I talked to Mr. Mobley at one time.

Mr. RICE. Out at his tire shop?

Mr. SULLIVAN. Yes.

Mr. RICE. During the time that he was a member of that grand jury?

Mr. SULLIVAN. Yes.

Mr. RICE. What did you talk to him about?

Mr. SULLIVAN. Well, I believe that I talked to him about having some member of the Crime Commission of Dade County down before them and finding out a little bit about him. I suggested that I thought that should be done.

Mr. RICE. You were suggesting then to Mr. Mobley, a member of the grand jury, a technique of investigation; is that it?

Mr. SULLIVAN. I thought that it should be inquired into.

Mr. RICE. Was he the foreman of the grand jury?

Mr. SULLIVAN. No; I think he was one of the members of the grand jury. I don't know what, assistant or secretary or something.

Mr. RICE. Who was the guiding hand of that grand jury; was there a prosecutor or a special prosecutor or a solicitor; who handled that grand jury?

Mr. SULLIVAN. Well, I don't know who it was at the time. I don't know whether it was Bob Givens or who it was.

Mr. RICE. Would it have been possible for you to have found out who the prosecutor was at that time?

Mr. SULLIVAN. I suppose it would have been, but I happened to see John Mobley and I had known John for quite a number of years, and I thought it would be a mighty good thing for Dade County if that would happen.

Mr. RICE. So you didn't suggest to the solicitor or the prosecutor or the foreman that it would be a mighty good thing, did you?

Mr. SULLIVAN. Well, I had suggested it before; yes.

Mr. RICE. About this particular grand jury?

Mr. SULLIVAN. Yes.

Mr. RICE. You did or you didn't?

Mr. SULLIVAN. I have; yes.

Mr. RICE. And did you talk to John Mobley about anything else?

Mr. SULLIVAN. Well, I possibly could have, sir. The fact is I don't remember too much about when I—about what I talked to him now, except that particular one thing. I could have talked to him about some more things. I probably wasn't there more than 5 or 10 minutes.

Mr. RICE. Did you ask him if the grand jury was considering your activities, investigating your activities or lack of activities?

Mr. SULLIVAN. No.

Mr. RICE. Are you sure about that?

Mr. SULLIVAN. I am quite sure.

Mr. RICE. You didn't talk to him about that?

Mr. SULLIVAN. Not personally about me.

Mr. RICE. You are quite sure?

Mr. SULLIVAN. I am quite sure. Not about me.

Mr. RICE. You didn't talk to him about whether they were going to investigate the sheriff?

Mr. SULLIVAN. No; I didn't.

Mr. RICE. Did Mrs. Sullivan accompany you to Mobley's place, or did she talk with Mobley in your presence at any time?

Mr. SULLIVAN. No.

Mr. RICE. Are you sure about that?

Mr. SULLIVAN. I am positive about that.

Mr. RICE. Do you know John Jones?

Mr. SULLIVAN. Yes; I do.

Mr. RICE. Who is John Jones?

Mr. SULLIVAN. He is an automobile dealer in Dade County.

Mr. RICE. What sort of a dealer, what car?

Mr. SULLIVAN. Dodge-Plymouth.

Mr. RICE. Tell us about John Jones, who he is and what your relationship is with him?

Mr. SULLIVAN. Well, he is an automobile dealer.

Mr. RICE. Yes.

Mr. SULLIVAN. He is quite a big-business man in Dade County, in the automobile business.

Mr. RICE. He is an old friend of yours?

Mr. SULLIVAN. For several years; yes.

Mr. RICE. For how many years?

Mr. SULLIVAN. Possibly maybe 4 years or maybe—

Mr. RICE. Didn't he support you in the 1944 campaign?

Mr. SULLIVAN. No; I don't believe he did.

Mr. RICE. Didn't he support you in the 1944 campaign?

Mr. SULLIVAN. No. He could have, but I don't know.

Mr. RICE. Did he support you in the 1948 campaign?

Mr. SULLIVAN. He helped me in every way that he could in the 1948 campaign.

Mr. RICE. Did you know him before the 1944 campaign?

Mr. SULLIVAN. I don't believe I did.

Mr. RICE. Did you know him in the 1948 campaign?

Mr. SULLIVAN. Yes. I am sure he did in every way he possibly could.

Mr. RICE. Did he financially support you or contribute to your campaign?

Mr. SULLIVAN. No.

Mr. RICE. He didn't contribute to your campaign?

Mr. SULLIVAN. No.

Mr. RICE. Are you sure about that?

Mr. SULLIVAN. I don't believe so.

Mr. RICE. You don't believe so. Don't you know who contributed to your campaign?

Mr. SULLIVAN. I don't believe that he did.

Mr. RICE. Do you know who contributed to your campaign?

Mr. SULLIVAN. No; I don't; and no one else will know who contributed to their campaign here in Dade County.

Mr. RICE. Do you want to take the position that you don't know who contributed to your campaign?

Mr. SULLIVAN. That is true.

Mr. RICE. So that you may be receiving campaign contributions from people you don't know about?

Mr. SULLIVAN. That is true.

Mr. RICE. How do you account for that?

Mr. SULLIVAN. Well, the man that is running for office, he has to get out and work; he doesn't stay in the office, and he couldn't be elected if he did. He doesn't have too much chance to be around to see who comes around and helps him in his office. This is quite a big county; it is a big territory to cover.

Mr. RICE. Did you have a campaign headquarters?

Mr. SULLIVAN. Oh, yes.

Mr. RICE. In your 1948 campaign where were your headquarters located?

Mr. SULLIVAN. Right across the street, over here.

Mr. RICE. Who handled your campaign there?

Mr. SULLIVAN. Well, different people were there most of the time. I mean I didn't have a campaign manager.

Mr. RICE. Who was there at different times?

Mr. SULLIVAN. Well, part of the time or maybe most of the time my wife was there.

Mr. RICE. Your wife was there? Who kept charge of the money?

Mr. SULLIVAN. I am trying to tell you who was there.

Mr. RICE. Who kept the money that came into the campaign?

Mr. KEHOE. If the committee please, we are going to object to that on the same stated grounds, claiming the privilege.

Mr. RICE. You take the position that campaign is the subject——

Mr. KEHOE. I take the position that money of any kind or character, property of any character, is material to the tax matter that is under investigation, when they are trying to determine a fraud on

the tax returns by establishing an arbitrary net worth at an arbitrary period of time.

The CHAIRMAN. Of course campaign contributions would not be income to this individual if they were properly handled.

Mr. KEHOE. That might be the reason that the objection is made.

The CHAIRMAN. You mean that they would not be properly handled?

Mr. KEHOE. I don't know. I said it might well be.

The CHAIRMAN. I do not follow you in that.

Mr. KEHOE. We follow that from articles that appeared after the last meeting, and some of the exhibits that are attached to this part here.

Mr. MOSER. Counsel, I think if we should ask him what he did with his campaign contributions after he received them, you might be on sound ground. If he received contributions that were not his income, it has no connection with income-tax liability.

Mr. KEHOE. That might well be, but if they are using that as a basis for determining net worth, and it is a matter that has been definitely gone into previously, which has been testified to, we see what happens to the man, and reasonably and justifiably he fears danger and harm should he be now compelled to answer that question.

Mr. MOSER. What kind of danger and harm?

Mr. KEHOE. Danger and harm of a prosecution.

Mr. MOSER. A criminal prosecution under the income-tax laws?

Mr. KEHOE. Yes, sir.

Mr. MOSER. For fraudulently filing his income-tax returns; is that correct?

Mr. KEHOE. It has been advertised in the paper over a period of time that the matter is being considered, and there has from time to time been speculation, purely speculation; but it is there nevertheless.

Mr. MOSER. Mr. Sullivan, is your fear that you might be criminally prosecuted under the income-tax laws for filing fraudulent tax returns?

Mr. SULLIVAN. I don't believe your question is put right.

The CHAIRMAN. Suppose that you put it right.

Mr. KEHOE. He can't put questions, if the committee please. He can only answer.

The CHAIRMAN. He is the only one who said that the question was not put right.

Mr. MOSER. Counsel, to my mind if we address our questions to the witness—every time I ask a question you stand up and give an answer. If you wish to have your client consult with you, we have no objection, but this business of your getting up and answering the questions for him is not something that we are going to put up with.

Mr. KEHOE. I haven't answered a question yet, and neither shall I. I will make objections, and I shall advise my client. I am not conscious of having answered any questions.

The CHAIRMAN. Now, the witness, Counsel, stated that the question had not been put right, and we now ask him in what respect it is not put right, and how he would right it.

Mr. SULLIVAN. What was the question?

(Question read by the reporter.)

Mr. MOSER. Mr. Sullivan, is your fear that you might be criminally prosecuted under the income-tax laws for filing fraudulent income-tax returns?

Mr. SULLIVAN. That question involves my income taxes which we have filed supplementary returns on, and this, Mr. Chairman, has been thoroughly gone over; it is in there word for word, every bit of that, and we have filed a supplementary return which is right, and I have sworn to it and I can only feel that way because I have to be so careful of the statements that I make here, because when we go out of this room you don't know them most of the time. That is the trouble that we have right here—I have had since the last hearing, sir. Before my last hearing, if you will remember, the chairman of our last hearing here said, "Mr. Sullivan, we think you are guilty to start with"; see?

Mr. RICE. I am afraid the record won't support you on that. I would like to ask that you find that in the record.

Mr. SULLIVAN. He says, "I understand that Mr. Sullivan was a pretty poor boy before he was elected sheriff, and since then I understand he is a pretty wealthy boy, and we have some mighty direct questions we are going to ask him."

Mr. RICE. When did you file this supplementary return that you made reference to just now?

Mr. SULLIVAN. Well, that I can't tell you. I don't know. You have it there.

Mr. RICE. Was it in the last year?

Mr. SULLIVAN. I will just refuse to answer the question on the same grounds. You have got it there.

Mr. RICE. You have waived your privilege there; you have discussed it; you said you filed a supplementary return. Are you taking the position that you are going to cut it off and not say when?

Mr. SULLIVAN. We stated every bit of the questions that you have asked me here.

Mr. RICE. When did you file this supplementary return about which you have just testified?

Mr. SULLIVAN. I don't know.

Mr. RICE. You just don't know?

Mr. SULLIVAN. No, sir.

The CHAIRMAN. In other words, Mr. Sullivan, so that we can understand each other, you did file an income-tax return originally?

Mr. SULLIVAN. Yes.

The CHAIRMAN. Then, more recently, you have filed a supplementary or corrected one; is that correct?

Mr. SULLIVAN. A supplementary return; yes, sir.

The CHAIRMAN. And that was what you volunteered to us?

Mr. SULLIVAN. I volunteered that.

The CHAIRMAN. You answered that by way of explanation. Now, the question is, When did you send in the corrected or supplementary income-tax return?

Mr. SULLIVAN. I don't know when I did that. It was before the hearing, I believe.

Mr. RICE. Before which hearing?

Mr. SULLIVAN. It must have been previous to the hearing last July.

Mr. RICE. Have you filed any supplementary returns since then?

Mr. SULLIVAN. Not supplementary; not that I recall.

Mr. RICE. Is it possible that you may have?

Mr. SULLIVAN. I filed a return since then, for this past year.

Mr. RICE. You have filed a return this past year. How about a supplementary return on a previous year?

Mr. SULLIVAN. As far as I remember, we have filed one.

Mr. RICE. You have filed one supplementary return?

Mr. SULLIVAN. That is what I mean.

Mr. RICE. Do you know what year that was for?

Mr. SULLIVAN. I am sorry I don't. I am sorry that I don't know.

Mr. RICE. Going back to John Jones, does he have a farm out here in the country somewhere?

Mr. SULLIVAN. I don't believe that he has. Not that I know of.

Mr. RICE. Have you ever been to his farm?

Mr. SULLIVAN. If he did have, I would know it.

Mr. RICE. Does he have a farm somewhere near Forty Mile Bend?

Mr. SULLIVAN. No.

Mr. RICE. Do you know where that is?

Mr. SULLIVAN. Yes.

Mr. RICE. He doesn't have one?

Mr. SULLIVAN. No.

Mr. RICE. Do you know a Jack Friedlander?

Mr. SULLIVAN. Yes.

Mr. RICE. Who is he?

Mr. SULLIVAN. He is a reputed bookmaker here in Dade County.

Mr. RICE. Have you ever met Jack Friedlander; have you talked with him?

Mr. SULLIVAN. No, sir. Oh, now, I may have met him in the lobby of the courthouse. I may have met him in the sheriff's office.

Mr. RICE. Let us get a little bit more definite than that. What other places have you met Friedlander?

Mr. KEHOE. Mr. Chairman, I think that that question should be excluded from this and should not be sent back to the Senate. The trick question presupposes a nonexistent fact, "What other places have you met him." I don't think that is fair.

The CHAIRMAN. The question ought to be phrased, "Did you meet him any place"?

Mr. KEHOE. That is correct. I think the whole thing should be stricken.

The CHAIRMAN. The question will be framed, "Did you meet him any other place and if so, where?"

Mr. SULLIVAN. No, sir.

Mr. RICE. Do you want to stand on your answer that you never met Jack Friedlander in any place but at the courthouse?

Mr. SULLIVAN. That is the only place that I remember meeting him.

Mr. RICE. Outside of the courthouse?

Mr. SULLIVAN. Not that I know of.

Mr. RICE. Let's make it very definite: Would you want to say that you have not met Friedlander and talked with him outside of the courthouse?

Mr. SULLIVAN. Not that I know of.

Mr. RICE. Not that you know of?

Mr. SULLIVAN. That's right.

Mr. RICE. Now, you know about it, don't you?

Mr. SULLIVAN. Well, I met a lot of people and I do meet a lot of people and shake hands with a lot of people, whom I don't know at all.

Mr. RICE. Friedlander is eliminated from that. You know Friedlander; you said you knew him.

Mr. SULLIVAN. I do know him when I see his picture in the paper. There is his name there.

Mr. RICE. Would you know him if he walked into this room?

Mr. SULLIVAN. I would know him now, yes, but I haven't known him too long. I mean, I am not intimately acquainted with him.

Mr. RICE. When was the last time you saw him?

Mr. SULLIVAN. Well, that I couldn't tell you.

Mr. RICE. Approximately?

Mr. SULLIVAN. Well, I couldn't tell you approximately; it was sometime within the period of time that I have been sheriff in the courthouse.

Mr. RICE. That was about 6 years, off and on?

Mr. SULLIVAN. It could have been sometime within that period. I know, however, I didn't meet him in the courthouse.

Mr. RICE. When did you first meet Friedlander?

Mr. SULLIVAN. I couldn't tell you that. I don't know.

Mr. RICE. Do you know where it was?

Mr. SULLIVAN. It must have been in the courthouse, only thing I remember.

Mr. RICE. Do you know who introduced you?

Mr. SULLIVAN. No; I don't.

Mr. RICE. What conversation did you have with him?

Mr. SULLIVAN. Well, I don't remember meeting him the first time, so I wouldn't remember the conversation.

Mr. RICE. Do you remember meeting him or do you not remember meeting him?

Mr. SULLIVAN. That is what I say. I don't remember meeting him the first time, so I wouldn't remember the conversation.

Mr. RICE. What occasion was it when you met him which fixed it in your mind so that you could recognize him now?

Mr. SULLIVAN. Well, I guess his picture has been in the paper quite a number of times, and possibly I met him once or twice in the courthouse.

Mr. RICE. So that now you think you know him from a combination of seeing his picture in the papers and having met him in the courthouse; is that right?

Mr. SULLIVAN. I am quite sure I would know him if I saw him.

Mr. RICE. Have you ever seen him at any place other than having seen his picture in the paper or having met him at the courthouse?

Mr. SULLIVAN. Not that I know of.

Mr. RICE. Have you ever seen him at the John Jones Dodge-Plymouth place?

Mr. SULLIVAN. No.

Mr. RICE. Are you sure about that?

Mr. SULLIVAN. Never.

Mr. RICE. Do you know a man by the name of McWhorter?

Mr. SULLIVAN. Yes; I do.

Mr. RICE. Which one do you know?

Mr. SULLIVAN. Mack.

Mr. RICE. Mack?

Mr. SULLIVAN. Yes.

Mr. RICE. What is his first name?

Mr. SULLIVAN. Mack is what I know.

Mr. RICE. What work does McWhorter do?

Mr. SULLIVAN. He is a bartender.

Mr. RICE. Is that Grady McWhorter?

Mr. SULLIVAN. I believe it is at that; yes.

Mr. RICE. Where does he tend bar?

Mr. SULLIVAN. Well, I don't know. I haven't seen him in quite a while.

Mr. RICE. When did you last see him?

Mr. SULLIVAN. At the barroom at the El Comodoro Hotel.

Mr. RICE. How long ago was that?

Mr. SULLIVAN. Oh, it has been a month or two, maybe; a month or two ago, something like that.

Mr. RICE. What else do you know about him?

Mr. SULLIVAN. Well, he worked for me for 1 month.

Mr. RICE. I see. Tell us about that.

Mr. SULLIVAN. He worked as an investigator for 1 month.

Mr. RICE. What doing?

Mr. SULLIVAN. Finding horsebooks for me.

Mr. RICE. I see.

Mr. SULLIVAN. Or horsebooks and other places.

Mr. RICE. I beg your pardon.

Mr. SULLIVAN. Horsebooks and other places.

Mr. RICE. Horsebooks and other places?

Mr. SULLIVAN. Gambling.

Mr. RICE. Is he an investigator or is he a bartender?

Mr. SULLIVAN. During the time he was working as a bartender he wasn't working for me. I used him 1 month as an investigator.

Mr. RICE. Did you deputize him?

Mr. SULLIVAN. The only way I used him was to find horsebooks for me or any form of gambling.

Mr. RICE. Did you deputize him?

Mr. SULLIVAN. I believe I did. I can't say for sure.

Mr. RICE. Did you give him an identification card?

Mr. SULLIVAN. If I deputized him I did, but I think, I am not sure, whether I did or didn't.

Mr. RICE. You don't know whether you did or did not?

Mr. SULLIVAN. That's right. The books will show it.

Mr. RICE. What was the arrangement about compensation, about pay?

Mr. SULLIVAN. He drew money out of the office.

Mr. RICE. He drew money out of the office?

Mr. SULLIVAN. He drew his salary out of the sheriff's office while he was an investigator.

Mr. KEHOE. Mr. Chairman, may I ask Mr. Sullivan a question on this matter?

The CHAIRMAN. Yes, sir.

Mr. RICE. Just a moment. Tell us about his salary arrangement.

Mr. SULLIVAN. Mr. Chairman, he was paid from a regular sheriff's check out of my office, a regular sheriff's check out of my office.

Mr. RICE. How much did he draw?

Mr. SULLIVAN. I believe it was \$250 for 1 month.

Mr. RICE. Who recommended him to you?

Mr. SULLIVAN. Well, he came to me and he told me that he knew where some gambling places were. I said, "That is what I need. If you know where they are, I certainly need them." That is the only headache I had in Dade County. I asked him to get me some, and he turned a few of them in.

Mr. RICE. I beg your pardon.

Mr. SULLIVAN. He had turned a few places in for me.

Mr. RICE. What places did he turn in?

Mr. SULLIVAN. That I don't remember right offhand.

Mr. RICE. Had he turned them in before you hired him?

Mr. SULLIVAN. Yes, and I put him to work for a month. He turned in quite a number of places then, and it was during a time that it was quite hard to catch gambling places in Dade County.

Mr. RICE. He was doing a good job?

Mr. SULLIVAN. Well, he was turning in a lot of places.

Mr. RICE. What places did he turn in?

Mr. SULLIVAN. I don't know the places he turned in.

The CHAIRMAN. Can you remember one?

Mr. SULLIVAN. Oh, yes; one on Twenty-seventh Avenue and One Hundred and Sixth Street, I believe. He turned in a number of places downtown here on First Street.

Mr. RICE. Whose place was that on One Hundred and Sixth or One Hundred and Seventh Street?

Mr. SULLIVAN. I don't know.

Mr. RICE. How do you remember that?

Mr. SULLIVAN. Because I was trying to have my men catch it. I was trying to get my own men to catch the place, and they couldn't get it.

Mr. RICE. They couldn't get it?

Mr. SULLIVAN. No.

Mr. RICE. And what happened?

Mr. SULLIVAN. He caught it.

Mr. RICE. Was the place raided?

Mr. SULLIVAN. Yes; that's right.

Mr. RICE. Was anybody arrested?

Mr. SULLIVAN. One or two or three were arrested.

Mr. RICE. Were they convicted?

Mr. SULLIVAN. Yes.

Mr. RICE. And that was a place at One Hundred and Seventh and what?

Mr. SULLIVAN. Between One Hundred and Sixth, I believe, on Northwest Twenty-seventh Avenue.

Mr. RICE. Can you fix the month when he worked for you; what year and what month?

Mr. SULLIVAN. It is on the record in my office downstairs.

Mr. RICE. His application is on record?

Mr. SULLIVAN. Oh, yes.

Mr. RICE. Was it in 1950, last year or this year?

Mr. SULLIVAN. It was sometime during the winter months.

Mr. RICE. Of what year, this past winter?

Mr. SULLIVAN. Yes, this past winter. I am not sure whether it was—I am not sure about the month. I mean, it could be found out mighty easy.

Mr. KEHOE. Let me help you a little bit here. Mr. Sullivan was not sheriff of Dade County between a date in October and a date in April.

The CHAIRMAN. That is October of 1950 to April of 1951?

Mr. KEHOE. Yes, sir.

Mr. RICE. Was it during that time?

Mr. SULLIVAN. No, it was during the time I was in office.

Mr. RICE. Then it wasn't in the winter, was it?

Mr. SULLIVAN. I believe on the 19th of October I went out of office.

Mr. RICE. Was this before then?

Mr. SULLIVAN. It had to be before then, because he was on my payroll. It might have been in September; I am not sure.

Mr. RICE. In order words, it was around September of 1950, then?

Mr. SULLIVAN. I believe so, but I am not sure.

Mr. RICE. But you do have a record in your office of when it was?

Mr. SULLIVAN. Yes.

Mr. RICE. Was he a regular employee; did you deduct withholding taxes and social security from his salary?

Mr. SULLIVAN. He worked 1 month, and I don't know whether that was deducted or not. It may have been. You will have to look at my books again to find out. He was hired just like anybody else would be.

Mr. RICE. On a salary basis?

Mr. SULLIVAN. Yes.

Mr. RICE. At so much per month?

Mr. SULLIVAN. That's right.

Mr. RICE. Did you hire him yourself; did you personally deal with him?

Mr. SULLIVAN. I hired him; yes.

Mr. RICE. He gave you some information on a place around One Hundred and Seventh, a file on the place?

Mr. SULLIVAN. Yes; a number of places down on First Street.

Mr. RICE. Can you remember the addresses of any of the ones on First Street?

Mr. SULLIVAN. Well, I believe there was a place—I would be afraid of the address—I think they are tearing the building down now. There is an old poolroom there. It is in the middle of the block on Northeast First Street, between Miami Avenue and First Avenue. Then down in the block between Second Avenue—

Mr. RICE. Before you leave that, when he gave information about a place did he swear to it on affidavit, or did he go out and make the arrest himself? What did he do?

Mr. SULLIVAN. He would give me the information.

Mr. RICE. To you personally?

Mr. SULLIVAN. That's right.

Mr. RICE. What would you do?

Mr. SULLIVAN. I would send my men there to catch the place.

Mr. RICE. Would he be called upon to testify about this?

Mr. SULLIVAN. No. I don't believe you quite understand our way here. When things get tight in law enforcement it is mighty hard for the known law-enforcement officers to go out and catch these gambling places, and you have to have someone who will go around and try, by some hook or crook, to get into these places and find this information out, and that is what was done.

Mr. RICE. So that he was the undercover man, more or less?

Mr. SULLIVAN. Well, that is true.

Mr. RICE. Would he go into these places and gamble?

Mr. SULLIVAN. I don't believe so.

Mr. RICE. How would he know they were running?

Mr. SULLIVAN. He would see it.

Mr. RICE. What did he tell you?

Mr. SULLIVAN. He told me that they were gambling at these places.

Mr. RICE. Do you know any other people named McWhorter?

Mr. SULLIVAN. No; I don't.

Mr. RICE. Have you ever talked to this man McWhorter on the long-distance telephone, this undercover man?

Mr. SULLIVAN. I believe he has called me a time or two.

Mr. RICE. From where?

Mr. SULLIVAN. Well, I don't know. He might have called me from—I wouldn't know. He might have called me from Tampa. He might have called me from Jacksonville.

Mr. RICE. What would he be doing calling you from Tampa?

Mr. SULLIVAN. Well, he is supposed to have a brother or uncle or something that lives over there.

Mr. RICE. What is his name?

Mr. SULLIVAN. Well, McWhorter, as I understand.

Mr. RICE. Another McWhorter; what is his first name?

Mr. SULLIVAN. I wouldn't know.

Mr. RICE. John?

Mr. SULLIVAN. It could be. I think I have heard him speak of John.

Mr. RICE. What was Grady doing over there with John that would cause him to call you over here?

Mr. SULLIVAN. I don't know. I know he has called me, though, at my home possibly a time or two.

Mr. RICE. Were the calls collect?

Mr. SULLIVAN. I don't believe he has ever called me collect.

Mr. RICE. You don't believe he has ever called you collect?

Mr. SULLIVAN. I don't believe he has. If he has, I would have taken it.

Mr. RICE. If he had called you collect you would have——

Mr. SULLIVAN. Yes. But I don't think he did. It could have been.

Mr. RICE. What would be the nature of a call of a man who worked as an undercover man in Miami from some place like Tampa which would cause you to accept the charges?

Mr. SULLIVAN. Well, if the fellow was working for me he might have some information; however, I don't believe at the time he was working for me—he was here all of the time. He was here all the time.

Mr. RICE. What caused him to leave your service; why did you terminate his employment?

Mr. SULLIVAN. Well, at the time he was working in my office he also told me that he was working for certain members of the crime commission.

Mr. RICE. You say that at the time he was working for you he said he was working for the crime commission?

Mr. SULLIVAN. That's right.

Mr. RICE. Go ahead.

Mr. SULLIVAN. At the time that he was working for me?

Mr. RICE. Yes.

Mr. SULLIVAN. So he worked for me the 1 month, and well, I believe—let me see; something happened along about that time; I don't know just what it was. He came to me and told me, I believe, that he would have to quit or have to leave, or something. I don't remember. Anyway he did leave.

Mr. RICE. It is very vague. Were you satisfied with his services; were his services satisfactory?

Mr. SULLIVAN. Well, he turned up a number of places. I don't know whether it was 8, 10, or 15, but that is quite a number of places for a fellow to turn up in these horse books when they are hard to get.

Mr. RICE. Did he do any work for you before this time that you hired him for?

Mr. SULLIVAN. Yes.

Mr. RICE. Are you sure about that?

Mr. SULLIVAN. Well, he might have brought stuff into the office and what not, but—

Mr. RICE. Did you know him before that?

Mr. SULLIVAN. Well, I talked with him. He said he knew me during election time. I might have known him a month before that, but I mean not too well.

Mr. RICE. Now, I see here a telephone call that came collect to your home telephone on April 9, 1951, from Muskegon, Mich., from McWhorter, collect. What was that about?

Mr. SULLIVAN. I don't remember, unless he said he was coming back or—I wouldn't know. He left the barroom down here, and, as I understand, he was working over at the El Comodoro Hotel.

Mr. RICE. Yes.

Mr. SULLIVAN. And went to Muskegon, so I understand.

Mr. RICE. And what was this conversation?

Mr. SULLIVAN. That was the first I knew where he was, when he sent me a wire.

Mr. RICE. He sent you a wire?

Mr. SULLIVAN. That is what you said there.

Mr. RICE. What did he do?

Mr. SULLIVAN. Up there?

Mr. RICE. Did he send you a wire?

Mr. SULLIVAN. I don't know. You said he sent a wire. It could be.

Mr. RICE. Did he telephone you?

Mr. SULLIVAN. You said he sent me a wire collect.

Mr. RICE. I am asking you.

Mr. SULLIVAN. I don't know.

Mr. RICE. Did he communicate with you from Muskegon, Mich.?

Mr. SULLIVAN. I believe he did call me or wire me. I don't remember which.

Mr. RICE. About what?

Mr. SULLIVAN. I don't remember at the moment.

Mr. KEHOE. Mr. Chairman, will the Chair have counsel repeat the first question that he asked about the date in April, about Muskegon?

The CHAIRMAN. Regarding the fixation of the date?

Mr. KEHOE. Counsel read from some record, and we would like to see what he was putting to the witness.

Mr. RICE. I asked him about a telephone call from Muskegon, Mich., from McWhorter, a call from Muskegon, Mich., April 9, 1951; also a collect telephone call on April 9, 1951.

What was that all about, Mr. Sullivan?

Mr. SULLIVAN. Well, now, that other—

Mr. KEHOE. Mr. Chairman, I have just now been advised that the television is full-blast all over Dade County. The people on the streets are seeing it.

The CHAIRMAN. Seeing the witness?

Mr. KEHOE. That is what I have been told.

The CHAIRMAN. Mr. Kehoe, we are advised by the television people that absolutely the witness is not being photographed.

Mr. KEHOE. Naturally, I don't know, Mr. Chairman. I was just told that.

The CHAIRMAN. While we are waiting will the meeting be in order? There was no recess called.

(NOTE.—At this point Mr. Kehoe was called out of the hearing room for a telephone call, and the witness, Mr. Sullivan, was temporarily excused.)

The CHAIRMAN. With this opportunity given and with the necessary suspension of the witness' testimony by reason of the telephone call to his counsel, the Chair wishes to announce that it is in receipt of a telegram from Harry O. Voiler. We observe that Mr. Voiler is here. Mr. Voiler, do you desire to speak to the committee about this?

Mr. VOILER. No. I would like to have you put it in the record and have you read it, please.

FURTHER TESTIMONY OF HARRY O. VOILER, MIAMI BEACH, FLORIDA

The CHAIRMAN. I assume that that is the purpose of your sending the telegram. If you will just step forward, please, we will be very glad to comply with your request.

The telegram is dated this date from Miami Beach. It is addressed to the Chair, and it reads as follows:

Mrs. Oretta Yelverton Carroll has made some statements concerning me. I earnestly urge that I be allowed to again appear before the committee to explain my side of this as soon as possible. Either she or I will be guilty of perjury, and I want whoever that person may be to be prosecuted to the fullest extent of the law. This telegram is not only being sent to you but to the Associated Press, United Press, and International News Service, so that the public may be aware that a perjury has been committed and that the culprit be punished. I hope you will recall me immediately before you end this session.

HARRY O. VOILER.

Mr. Voiler, did you send this telegram?

Mr. VOILER. Yes; I did.

The CHAIRMAN. And this is the telegram?

Mr. VOILER. Yes.

The CHAIRMAN. The telegram will be marked and admitted in evidence as Exhibit No. 15.

Mr. VOILER. Thank you.

The CHAIRMAN. Mr. Voiler, do you feel, inasmuch as the statements were made under oath, either person is guilty of perjury?

Mr. VOILER. I haven't heard what Mrs. Yelverton has said. I would like to get the transcript and study it tonight, and I would be happy to be recalled tomorrow morning.

The CHAIRMAN. Does that change your statement here? You said that Mrs. Yelverton has made some statements concerning you. You said "either she or I will be guilty of perjury."

Mr. VOILER. If it pleases you, Mr. Chairman, and I am at your liberty, you may recall me immediately, if you wish.

The CHAIRMAN. You are proposing that you be recalled. My question to you is, Did you state that either you or she had been guilty of perjury today; do you answer "Yes" or "No"?

Mr. VOILER. I just read a headline on a paper, "Voiler may be accused" of something, perjury, I think.

The CHAIRMAN. Do you contend that either she or you is guilty of perjury?

Mr. VOILER. Well, Mr. Chairman, I have to amplify that. Well, I will be to the point. A man standing before a committee, an investigating committee, and then comes a witness who follows, it would be hard for me to say that that woman deliberately lied. I wouldn't be a gentleman if I said that, but I will say this: I think the very foundation that stands between that woman's imagination and memory has completely broken down.

The CHAIRMAN. All right, now, your telegram, therefore, is introduced in evidence. You do not contend, therefore, we understand—in other words, you do not make the charge that she is guilty of perjury?

Mr. VOILER. Somebody is guilty of perjury.

The CHAIRMAN. Either you or she?

Mr. VOILER. Right.

(Mr. Voiler was excused and Mr. Sullivan resumed the stand.)

The CHAIRMAN. Let the meeting come to order.

FURTHER TESTIMONY OF JAMES ALEXANDER SULLIVAN, MIAMI, FLA., ACCOMPANIED BY JACK KEHOE, ATTORNEY

Mr. RICE. Mr. Sullivan, we were talking about a telephone call from Muskegon, Mich., that hapened just 2 months ago, in April, from a man by the name of McWhorter to you. What was that telephone call about?

Mr. SULLIVAN. Mr. Chairman, I declare—I don't remember what the telephone call was about or what the telegram was about, whatever it happened to be.

Mr. RICE. Do you recall getting a telephone call from Mr. McWhorter?

Mr. SULLIVAN. Either a call or a wire. I do remember getting a call or wire once.

Mr. RICE. This is the same McWhorter who worked at the El Comodoro?

Mr. SULLIVAN. That is the McWhorter, yes, sir, that did work 1 month here for me.

Mr. RICE. This telephone call had a substantial charge on it, and evidently the conversation was somewhat protracted. It was only 2 months ago. I wonder if you might be able to recall what that was all about?

Mr. SULLIVAN. Well, I do remember getting a call, the call or wire—I don't know which it was.

Mr. RICE. The telephone call?

Mr. SULLIVAN. Telephone call, yes.

Mr. RICE. Was it collect?

Mr. SULLIVAN. Yes. If he had called me collect, I would have accepted it.

Mr. RICE. I believe he called you on your nonpublic number at your house.

Mr. SULLIVAN. No; I don't operate——

Mr. RICE. You have one that is not listed in the 'phone book, don't you?

Mr. SULLIVAN. No; I don't. I used to have one.

Mr. RICE. How long ago did you have that disconnected?

Mr. SULLIVAN. Oh, possibly 8 months or something like that.

Mr. RICE. Let us get back to this telephone call that occurred 2 months ago. Let's talk about that. What was that about?

Mr. SULLIVAN. Well, I don't know. If it was about his wife—I don't know what it could have been about.

Mr. RICE. We would like to know exactly what it was about.

Mr. SULLIVAN. It could have been about——

Mr. RICE. I am not concerned about what it could have been. What was it about?

Mr. SULLIVAN. I say, it could have been——

Mr. RICE. And I say I want to know what it was about.

Mr. SULLIVAN. It was probably——

Mr. RICE. I am not concerned about probably.

Mr. SULLIVAN. Well, I am trying to give you what it was about. When I get through what I am trying to think of, I will try to help you.

Mr. RICE. Yes, sir.

Mr. SULLIVAN. It seems to me like he called me one time and asked me to deliver a message to his wife.

Mr. RICE. Do you mean down at the trailer park?

Mr. SULLIVAN. That he would be home soon.

Mr. RICE. Yes.

Mr. SULLIVAN. Now, he said, "My wife is sick"——

Mr. RICE. Yes.

Mr. SULLIVAN. And I did know that his wife was sick while he worked for me.

Mr. RICE. Was she down at the trailer?

Mr. SULLIVAN. Yes.

Mr. RICE. Did you deliver the message to her?

Mr. SULLIVAN. Yes. I believe I had one of my boys deliver the message.

Mr. RICE. What was the message again?

Mr. SULLIVAN. I think it was that he would be home in a few days, within a week, and he wanted to know how his wife was, and his wife was not well, as best I can remember; that his wife was not well, that he would come right on home immediately, and if I found her that way to call him back up there. That is the best I can remember.

Mr. RICE. That is pretty good. Now, what did you do?

Mr. SULLIVAN. Well, I guess that I delivered that message to his wife.

Mr. RICE. Which one of the boys did you use to deliver the message?

Mr. SULLIVAN. Carl Holloway, I believe.

Mr. RICE. What was the answer?

Mr. SULLIVAN. Well, she was all right, and he showed up in less than a week.

Mr. RICE. Did you call him back?

Mr. SULLIVAN. No; I didn't call him back because his wife was all right. He told me if his wife was not all right, to call.

Mr. RICE. Would you want to explain why he picked you as a messenger boy in that set-up there?

Mr. SULLIVAN. Well, I suppose—I don't know, unless he had worked for me.

Mr. RICE. Unless he had worked for you?

Mr. SULLIVAN. Yes. He worked for me. He seemed to have quite a bit of information that I needed, and he gave me this information.

Mr. RICE. This was calling you collect to deliver a message; it didn't have anything to do with the information, did it?

Mr. SULLIVAN. No, but I am talking about the previous information that he had given me when he had went to work for me, after he had told me of some of the things that had happened. Well, I did put him to work for me for a month, and he got me considerable information.

Mr. RICE. What was he doing up in Muskegon, Mich.?

Mr. SULLIVAN. That I don't know. Whether he was working up there or not, I don't know.

Mr. RICE. When he came back from there did he see you?

Mr. SULLIVAN. I believe that he came back here and went to work.

Mr. RICE. Where did he go to work?

Mr. SULLIVAN. He had a job. I don't know where he went to work. I think he had a job here somewhere. I don't know where. As I say, I was not closely intimate with him.

Mr. RICE. But you accepted telephone calls, collect telephone calls, from Muskegon, Mich., from him?

Mr. SULLIVAN. The sheriff gets many collect calls from all over the country.

Mr. RICE. You do?

Mr. SULLIVAN. Oh, yes.

Mr. RICE. On your home telephone?

Mr. SULLIVAN. If they can't get me at my office they get me at home. I had many people who called me at my home, collect calls. Well, some of them I have turned down; some of them I have taken, sometimes.

Mr. RICE. When was the last time you saw this man?

Mr. SULLIVAN. I believe I saw him when he got back from up there.

Mr. RICE. Where did you see him?

Mr. SULLIVAN. I believe he came down to the office to see me.

Mr. RICE. Came down to the office to see you?

Mr. SULLIVAN. I believe so.

Mr. RICE. What did you talk about?

Mr. SULLIVAN. Well, now, I don't—

Mr. RICE. Going back to that telephone call, was that all you talked about, just the condition of his wife?

Mr. SULLIVAN. That is what he was interested in, yes.

Mr. RICE. That is all you talked about?

Mr. SULLIVAN. Yes, sir. Well, if I remember right, he told me that his wife was quite sick, and that his wife needed an operation, and that his wife had been right in his home or her home, and he was worried that there might be some separation come up there. Her father or mother asked her to come on home, if I remember right. He was quite worried about it, and that is why he called me.

Mr. RICE. That is the only reason for the call?

Mr. SULLIVAN. Oh, yes.

Mr. RICE. Now, sir, I am showing you a letter dated July 6, 1950, from the sheriff's office of Dade County, written to this committee. I ask you if you recognize it?

(Document handed to witness.)

Is that your signature on the back page?

Mr. SULLIVAN. That is my signature.

Mr. RICE. Did you write that signature?

Mr. SULLIVAN. Yes. That is my signature.

Mr. RICE. Do you use green ink?

Mr. SULLIVAN. Yes.

Mr. RICE. You do?

Mr. SULLIVAN. I did.

Mr. RICE. All right, sir; let us introduce that into the record.

The CHAIRMAN. It is not copied into the record; it is just marked for identification.

(The letter dated July 6, from Sheriff Sullivan to the committee, is identified as Exhibit No. 16 and is on file with the committee.)

Mr. RICE. Now, sir, I show you a deed—

Mr. KEHOE. Wait until he finishes reading this, Mr. Rice, please.

The CHAIRMAN. Do you want to say something?

Mr. SULLIVAN. Mr. Chairman, was this before or after the committee?

The CHAIRMAN. I notice the date was July 1950.

Mr. RICE. What was the date?

Mr. KEHOE. July 6, 1950.

Mr. RICE. There is another document there, I think; it is exhibit 17; is that correct, Mr. Colman?

Mr. COLMAN. Yes, sir.

(The document to which Mr. Rice refers is already in the record as Exhibit No. 3.)

Mr. RICE. Do you see your signature there?

Mr. SULLIVAN. Yes. That is my signature.

Mr. RICE. That is your signature; you wrote it?

Mr. SULLIVAN. That is my signature.

The CHAIRMAN. Did Mr. Sullivan answer?

(The reporter read the answer as above recorded.)

Mr. SULLIVAN. Just a minute. This is not it here [indicating]; this is it here. It looks like my signature.

Mr. RICE. It looks like it?

Mr. SULLIVAN. Yes, sir.

Mr. RICE. To help you a little bit, do you want to practice your signature a little bit?

Mr. SULLIVAN. Let me see it. Let me see—a part of this, the “a” looks funny; it don’t look like my signature here.

Mr. RICE. Would you like to practice your signature a little bit?

Mr. SULLIVAN. I don’t need to practice my signature, Mr. Jones, or whatever your name is.

Mr. RICE. Is it or isn’t it?

Mr. SULLIVAN. I believe that is my signature; yes.

Mr. RICE. You know it is, as a matter of fact, don’t you?

Mr. SULLIVAN. Let me look at it there just a minute.

The CHAIRMAN. Now you have looked at it, Mr. Sullivan; what is your answer?

Mr. SULLIVAN. Well, I believe that is my signature; yes, sir.

Mr. RICE. All right, here is another paper dated April 28, 1950, at Miami. We had better mark this as another exhibit, Mr. Colman.

(Said document received and marked “Exhibit No. 17,” and is on file with the committee.)

Mr. RICE. I show you what purports to be a deposit receipt and ask you if you recognize the signature on that or the signatures? I believe on the reverse side the names Jimmy Sullivan and Ethel Sullivan appear, do they not?

Mr. SULLIVAN. Mr. Chairman, I am going to object to answering these questions on the same grounds that we had before.

The CHAIRMAN. What is that?

Mr. SULLIVAN (producing document). Do you want me to read this to you?

The CHAIRMAN. No.

Mr. SULLIVAN. All right.

The CHAIRMAN. I want to understand whether or not you do stand on the same grounds.

Mr. KEHOE. We do; yes, sir.

Mr. SULLIVAN. Yes.

The CHAIRMAN. Proceed.

Mr. RICE. Let the record be clear. Is that your signature on that document? You refuse to answer that on the same grounds?

Mr. KEHOE. Yes, sir.

The CHAIRMAN. Counsel, in this instance the committee instructs the witness to answer. Are we to understand that he persists in his refusal to answer on the ground that he has already referred to; is that correct?

Mr. KEHOE. Yes, sir.

Mr. SULLIVAN. Mr. Chairman, I will answer anything that don’t pertain to these taxes.

The CHAIRMAN. The question is directed as to your signature, Mr. Sullivan.

Mr. SULLIVAN. Don’t they pertain to taxes? If they don’t I will answer them.

The CHAIRMAN. We are just asking you questions as to the facts. We are asking you as to the fact of the signature, and I don't understand that that has any direct bearing on taxes.

Mr. KEHOE. If you will delete the rest of the document and just submit the signature, we will answer the question; but by answering the question as to a signature to a document there is given some relation to the document.

The CHAIRMAN. The only reason that we mentioned the document was merely to identify it by number and not as to the text of the document itself, not as to what is set forth, but as to the signature at the end of it. That is all that we are interested in.

Mr. KEHOE. If you will just take the signature out and ask him if that is his signature, you can ask him the question; but as long as it is a legal document and it deals with the acquisition of property and the payments of money, and when it comes under consideration regarding his net worth—I think he is justified in declining to answer.

The CHAIRMAN. Of course, we can't cause the signature to be taken from the document and destroy the document thereby, but we are not interested in the text of the document as such, but only as to his signature.

Mr. KEHOE. Likewise.

The CHAIRMAN. Are we to understand, Mr. Sullivan, that you refuse to answer the question for the reason that you have given; is that correct?

Mr. SULLIVAN. Yes, sir.

Mr. RICE. All right, sir. I have another paper here, Mr. Colman, dated December 8, 1949, a real-estate receipt of some kind bearing the purported signatures of J. A. Sullivan and Ethel Sullivan, and I ask you, Mr. Sullivan, is that your signature?

The CHAIRMAN. Just a moment, please. Let us have it marked for identification.

(Said document received, marked "Exhibit No. 18," and appears on p. 234.)

Mr. KEHOE. Is that for all of these papers or just as to this one?

Mr. RICE. Just as to one.

Mr. KEHOE. What about these papers preceding it?

Mr. RICE. Take those off, if you want to.

Mr. SULLIVAN. Mr. Chairman, I will make the same objections on this.

The CHAIRMAN. And the Chair instructs you to answer, and you still refuse to answer on the grounds that you have given; is that correct?

Mr. SULLIVAN. It is all before the Tax Court now.

Mr. RICE. I show you exhibit No. 2 in the record, a photostatic copy, and ask you if the signature appearing thereon is your signature? That is the deed of 1949, 1st of December 1949.

Mr. KEHOE. There are two separate instruments here.

Mr. RICE. Two separate instruments?

Mr. KEHOE. Yes, sir. One is a contract for sale, and a deed.

Mr. RICE. Take that one off the top. I think it is the second of the two.

Mr. KEHOE. All right.

Mr. RICE. On the deed itself did you examine the signature?

Mr. KEHOE. He hasn't seen that yet.

(Document handed to witness.)

Mr. SULLIVAN. I make the same objection on these, Mr. Chairman.

The CHAIRMAN. The Chair instructs you to answer, and you still refuse to answer on the grounds that you have given, Mr. Sullivan?

Mr. SULLIVAN. Yes, sir.

Mr. RICE. I show you an agreement of sale of November 1949, between Ethel Sullivan and James Sullivan to Thomas A. Rice and Ruth M. Rice, his wife, and ask you if the signature of James Sullivan appearing thereon is yours?

(Said document marked "Exhibit No. 19," and placed on file with the committee.)

Mr. SULLIVAN. The same objection, Mr. Chairman.

The CHAIRMAN. The Chair instructs you to answer. Do we understand that you still refuse to answer on the grounds that you have assigned?

Mr. SULLIVAN. Yes, sir.

Mr. RICE. I have no further questions at this time. I would request that Mr. Sullivan be kept under subpoena, so that we may call him in later if necessary.

The CHAIRMAN. That concludes the examination of the witness for the time being and, as stated, he will be kept under subpoena available for further questioning. The committee will now take a recess until 8:30, at which time the executive session will be held, and thereafter a further public hearing may be held.

(Thereupon the hearing was adjourned at 5:50 p. m., to reconvene at 8:30 p. m., the same day.)

NIGHT SESSION FOLLOWING EXECUTIVE SESSION

The CHAIRMAN. The hearing will please come to order. Inasmuch as we have completed the record, for the time being, at least, as to that portion of the inquiry relating to former Sheriff James A. Sullivan, I desire to make the following statement:

Confronted as we are with the refusal of James A. Sullivan to answer questions which clearly are pertinent to this inquiry, we are compelled to consider the question of his possible citation for contempt.

He balks at answering even preliminary questions as to each transaction and then refuses even to identify purported signatures, thus blocking the committee effort to trace sums of money which might well have definite bearing on his possible relationships with gamblers or bearing on other phases of the performance of his sheriff's duties.

Because former Sheriff Sullivan persisted in his refusal to answer any of these questions, it is concluded that we must recommend to this Senate committee that James A. Sullivan be cited for contempt.

Mr. MOSER. Is Lee A. Wentworth here, please?

The CHAIRMAN. Before Almighty God do you swear to tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. WENTWORTH. I do.

TESTIMONY OF LEE A. WENTWORTH, HOLLYWOOD, FLA.

Mr. MOSER. Will you please state your name?

Mr. WENTWORTH. Lee A. Wentworth.

Mr. MOSER. What is your address?

Mr. WENTWORTH. 2734 Lincoln Street, Hollywood, Fla.

Mr. MOSER. How long have you lived in Hollywood?

Mr. WENTWORTH. Since September of 1946.

Mr. MOSER. What is your business?

Mr. WENTWORTH. Construction work.

Mr. MOSER. What was your business prior to the time you started in construction work?

Mr. WENTWORTH. I was city tax assessor.

Mr. MOSER. City tax assessor?

Mr. WENTWORTH. Of Hollywood; yes, sir.

Mr. MOSER. Who is the mayor of Hollywood, Fla.?

Mr. WENTWORTH. Mr. Lester C. Boggs.

Mr. MOSER. Lester C. Boggs?

Mr. WENTWORTH. Yes, sir.

Mr. MOSER. How long has he been the mayor?

Mr. WENTWORTH. He has been commissioner; I think this is his eighth term. I think he has been mayor seven terms.

Mr. MOSER. How long ago was his most recent term?

Mr. WENTWORTH. [No response.]

Mr. MOSER. When was he last elected?

Mr. WENTWORTH. He was last elected in the election of April 24 of this year.

Mr. MOSER. 1951?

Mr. WENTWORTH. Yes, sir; 1951.

Mr. MOSER. When was he elected before that?

Mr. WENTWORTH. He was elected commissioner 2 years prior to that time, but he was not mayor at that time. No; he was the mayor 2 years ago in the last election, and 2 years prior to that he was commissioner, but not mayor.

Mr. MOSER. There was a period when he was not the mayor?

Mr. WENTWORTH. From 1947 to 1949.

Mr. MOSER. Who was mayor immediately prior to 1947?

Mr. WENTWORTH. I think it was Mr. Boggs.

Mr. MOSER. So that he was mayor for a period up to 1947 and was not mayor from 1947 to 1949; and then he was reelected so that he became mayor again in 1949, and he still serves as mayor?

Mr. WENTWORTH. Yes, sir.

Mr. MOSER. During the period that he was not mayor, 1947 through 1949, were gambling places in Hollywood open?

Mr. WENTWORTH. Not wide open; no, sir; only open on a sneak basis.

Mr. MOSER. On a sneak basis?

Mr. WENTWORTH. Yes, sir.

Mr. MOSER. After he took office in 1949 was there any change in that regard?

Mr. WENTWORTH. Yes. Immediately after the new commission took office in 1949 the gambling was open wide; wide open in Hollywood.

Mr. MOSER. They all opened immediately?

Mr. WENTWORTH. Yes, sir.

Mr. MOSER. What were the names of several of the places that were open?

Mr. WENTWORTH. Deluxe Cafe, Rainbow Grill, Valhalla Club, Jiggs Farrell's place, the Wonder Bar, a place called the Smoke Shop, the Circus Bar, and—

Mr. MOSER. That is enough.

Mr. WENTWORTH. Those places were all wide open during that period of time.

Mr. MOSER. There was no enforcement of gambling laws at all?

Mr. WENTWORTH. No, sir.

Mr. MOSER. What was the nature of the gambling that occurred in those places?

Mr. WENTWORTH. At that time mostly booking.

Mr. MOSER. Booking, mostly?

Mr. WENTWORTH. Yes, sir.

Mr. MOSER. No other forms of gambling that you know of?

Mr. WENTWORTH. No; not that I know of, personally; no.

Mr. MOSER. Did you go into some of these places personally?

Mr. WENTWORTH. Not personally; no, sir.

Mr. MOSER. Did you take any action to complain about this situation?

Mr. WENTWORTH. I carried evidence to the chief of police, Phil A. Thompson, and asked him to take some action to close the places up.

Mr. MOSER. What was the name of the chief of police?

Mr. WENTWORTH. Phil A. Thompson.

Mr. MOSER. You reported the situation to him and asked him to close them?

Mr. WENTWORTH. Yes, sir.

Mr. MOSER. What did he say?

Mr. WENTWORTH. He replied, "I am not the fellow that opened them up, and I will have to talk to the one who did."

Mr. MOSER. Did you complain to anybody else?

Mr. WENTWORTH. I contacted the sheriff.

Mr. MOSER. What is his name?

Mr. WENTWORTH. The sheriff at that time was Walter Clark.

Mr. MOSER. What is his name?

Mr. WENTWORTH. Walter Clark, was sheriff at that time.

Mr. MOSER. Oh, Clark?

Mr. WENTWORTH. Yes, sir.

Mr. MOSER. What did he say?

Mr. WENTWORTH. He said, "There is just a little bookie business going on," that there wasn't any wide open gambling.

Mr. MOSER. Did you make any other complaints?

Mr. WENTWORTH. We sent a telegram to the Governor.

Mr. MOSER. You sent a telegram to the Governor?

Mr. WENTWORTH. Yes, sir.

Mr. MOSER. To the Governor; what was his name?

Mr. WENTWORTH. Fuller Warren.

Mr. MOSER. Did you get any reply?

Mr. WENTWORTH. No, sir. We didn't even get an acknowledgment of our telegram.

Mr. MOSER. When you say "our," who were the other people involved?

Mr. WENTWORTH. At that time Mr. A. D. Brown, Dave Mears, Homer Austin.

Mr. MOSER. These were city people, including yourself?

Mr. WENTWORTH. And myself; yes, sir.

Mr. MOSER. Were you working together on this?

Mr. WENTWORTH. Yes; we were working together on this campaign.

Mr. MOSER. It was a campaign, that you as a private citizen, and others, as private citizens, were conducting for the purpose of closing gambling joints; is that correct?

Mr. WENTWORTH. Yes, sir.

Mr. MOSER. Did you write any letters to Governor Warren?

Mr. WENTWORTH. Yes, sir. I wrote one letter to Governor Warren, and gave him the information.

Mr. MOSER. How long ago did you write that letter?

Mr. WENTWORTH. That letter was written sometime in the latter part of July. I don't remember the exact date of the letter.

Mr. MOSER. In the latter part of July 1949?

Mr. WENTWORTH. 1949; yes, sir.

Mr. MOSER. When did you send him the telegram?

Mr. WENTWORTH. About the same period of time.

Mr. MOSER. About the latter part of July 1949?

Mr. WENTWORTH. Yes, sir.

Mr. MOSER. Did you get any reply to the letter?

Mr. WENTWORTH. No, sir.

Mr. MOSER. None whatever.

Mr. WENTWORTH. No, sir.

Mr. MOSER. Are there any nationally known gangsters who live in Hollywood?

Mr. WENTWORTH. Yes; sir; several. Vincent Alo, called "Jimmy Blue Eyes"; Jake Lansky; and Frank Costello, who is now building a home in Hollywood.

Mr. MOSER. Do you know these people by sight?

Mr. WENTWORTH. Only Jake Lansky. I would know him by sight.

Mr. MOSER. But you do know that these other people live there?

Mr. WENTWORTH. Yes, sir; that is a matter of common rumor and newspaper articles.

Mr. MOSER. Did you and your friends take any further action for the purpose of closing these gambling places?

Mr. WENTWORTH. Yes, sir. We started injunction proceedings against those places.

Mr. MOSER. Injunction proceedings?

Mr. WENTWORTH. Yes, sir.

Mr. MOSER. Did you retain a lawyer for that purpose?

Mr. WENTWORTH. Yes, sir; John Toler, of Fort Lauderdale.

Mr. MOSER. What was the result of those proceedings?

Mr. WENTWORTH. We secured injunctions on three places.

Mr. MOSER. What three places?

Mr. WENTWORTH. Deluxe, Valhalla, and Jiggs Farrell's place.

Mr. MOSER. What was the result of that; were they actually closed as a result of these actions?

Mr. WENTWORTH. They were actually closed, upon the injunction; yes, sir.

Mr. MOSER. Are they still closed?

Mr. WENTWORTH. To my knowledge; yes, sir.

Mr. MOSER. After you obtained those injunctions did you have any communications from anybody or any dealings with anybody with regard to the gambling set-up?

Mr. WENTWORTH. Not after the injunction; during the period of time we were instigating the injunctions, I did.

Mr. MOSER. While the proceedings were pending?

Mr. WENTWORTH. Yes, sir.

Mr. MOSER. Tell us what happened.

Mr. WENTWORTH. One night at about 8 o'clock—I don't remember the exact time, whether it was the latter part of August or the latter part of September 1949—this car came to my house and a local attorney asked me——

Mr. MOSER. What kind of a car was it?

Mr. WENTWORTH. It was a black Cadillac sedan.

Mr. MOSER. Go ahead.

Mr. WENTWORTH. And a local attorney came to the door and asked me if I would come out to the car, that he would like for me to meet someone. I stepped over to the car——

Mr. MOSER. Who was the local attorney?

Mr. WENTWORTH. Joe Varon.

Mr. MOSER. Joe Varon?

Mr. WENTWORTH. Yes, sir.

Mr. MOSER. Go ahead.

Mr. WENTWORTH. He said, "This is Mr. Lansky, Mr. Jake Lansky." Then he went on and got into the car on the other side and Mr. Lansky was at the wheel of the car.

Mr. Lansky said, "Mr. Wentworth, don't you think you are taking on a little more than you can manage?"

I told him, "I don't know, I am going to do the best I can."

He said, "Would you be interested in \$25,000?"

I said, "Yes, sir; I would be interested in it, but, frankly, I think more of my life than that," and I turned and walked into the house and they drove off.

Mr. MOSER. Did you ever have any further discussion with them on that?

Mr. WENTWORTH. Not that I can recall on that particular matter.

Mr. MOSER. Did you have any discussions with anybody about that?

Mr. WENTWORTH. Two or three nights later another car drove up. It wasn't the same car and it wasn't the same parties. One of the parties came to the door and said he had something there he wanted to show me in the back of the car. I went over to the car. He was evidently the driver of the car. These two men were sitting on the back seat of the car, and one of them had a large box in his hand that looked like a white shoe box, and he said, "We have \$25,000 here. It's a question of doing one of two things." He said, "You know how these things end; either these end with a silver bullet or silver dollar."

I was a little worried about the silver bullet, so I walked in the house, got my shotgun, walked to the door, and told them I was going to count five and then start shooting. They drove off.

Mr. MOSER. And that is the last you heard of those people?

Mr. WENTWORTH. The last I heard of those, yes, sir; those particular ones.

Mr. MOSER. Have you ever notified anybody of that event?

Mr. WENTWORTH. Yes. I have told certain parties of what happened, particularly my neighbors there.

Mr. MOSER. Was a letter ever circulated in Hollywood with regard to this?

Mr. WENTWORTH. During the recent election, Hollywood election, in April, there was a letter circulated and rumors passed that I had accepted \$10,000 as a payoff to lay off the gamblers.

Mr. MOSER. Is that true?

Mr. WENTWORTH. No, sir.

Mr. MOSER. Who signed that letter?

Mr. WENTWORTH. It wasn't signed.

Mr. MOSER. Was it an anonymous, unsigned letter?

Mr. WENTWORTH. Yes, sir.

Mr. MOSER. Was it printed?

Mr. WENTWORTH. On the typewriter.

Mr. MOSER. On the typewriter?

Mr. WENTWORTH. Yes, sir.

Mr. MOSER. Were copies circulated?

Mr. WENTWORTH. I only received one copy. They sent one copy in the mail to me.

Mr. MOSER. And you deny that that was so?

Mr. WENTWORTH. I didn't do anything. I just turned it over to the newspaperman and said, "Publish it, if you want to."

Mr. MOSER. No further questions.

The CHAIRMAN. No further questions. Thank you so much.

(Witness excused.)

TESTIMONY OF DAVID JAMES MEARS, HOLLYWOOD, FLA.

The CHAIRMAN. Do you before Almighty God swear that the testimony that you will give will be the truth, the whole truth, and nothing but the truth?

Mr. MEARS. I do.

The CHAIRMAN. Your full name, please?

Mr. MEARS. David James Mears.

The CHAIRMAN. Mr. Mears, what is your residence?

Mr. MEARS. Hollywood, 2654 Johnston Street, Hollywood, Fla.

Mr. MOSER. Will you move your chair nearer the table, please?

Mr. MEARS. Yes.

Mr. MOSER. What is your business?

Mr. MEARS. Plumbing contractor.

Mr. MOSER. Do you know by sight Jake Lansky?

Mr. MEARS. Yes, sir.

Mr. MOSER. Al Cordell?

Mr. MEARS. Yes, sir.

Mr. MOSER. Jiggs Farrell?

Mr. MEARS. Yes, sir.

Mr. MOSER. M. B. Wellons?

Mr. MEARS. Yes, sir.

Mr. MOSER. You know all of them by sight?

Mr. MEARS. Yes, sir.

Mr. MOSER. What is their business; do you know?

Mr. MEARS. Gamblers they are supposed to be; yes, sir, it's rumored.

Mr. MOSER. Do you know where Mayor Boggs of Hollywood, Fla., lives?

Mr. MEARS. Yes, sir.

Mr. MOSER. Do you ever go near his house?

Mr. MEARS. I pass there two or three times a week.

Mr. MOSER. You pass there two or three times a week?

Mr. MEARS. Yes.

Mr. MOSER. Why do you do that?

Mr. MEARS. Well, I work colored labor, and I have to go to colored town to pick up help.

Mr. MOSER. And you go by the house two or three times a week?

Mr. MEARS. Yes, sir.

Mr. MOSER. Have you ever seen any of the gamblers that I just mentioned anywhere near Mr. Boggs' house?

Mr. MEARS. Yes, sir.

Mr. MOSER. What is the address of Mr. Boggs' house?

Mr. MEARS. 231 Lee Street.

Mr. MOSER. And have you ever seen Jake Lansky, Al Cordell, or Jiggs Farrell, or M. B. Wellons at the house?

Mr. MEARS. Yes, sir; I have seen Wellons there pretty regular at different times. During the year 1948 and 1949 and 1950 I have seen him there. And Mr. Lansky was there in 1947 to 1948, 1949. I have seen Mr. Lansky, I believe, once in his car and once standing outside of his car, holding onto the car door.

Mr. MOSER. Have you ever seen Mr. Lansky go in the house?

Mr. MEARS. I have seen him go in the house once, the last time.

Mr. MOSER. How about Jiggs Farrell?

Mr. MEARS. Well, I have seen Mr. Farrell around the house in different places.

Mr. MOSER. How about Al Cordell?

Mr. MEARS. Well, Al Cordell, I have seen him around the house at different places in the yard, and different places.

Mr. MOSER. You were one of the men who obtained these injunctions against the three places in Hollywood, were you?

Mr. MEARS. I was one of the men; yes, sir.

Mr. MOSER. You were one of the committee of citizens that were doing that?

Mr. MEARS. Yes, sir.

Mr. MOSER. Was any effort made to persuade you to withdraw the injunctions or to discontinue your proceedings?

Mr. MEARS. Well, I don't particularly believe—in fact, there was on one occasion, I believe, Mr. Peterson in a conversation with Mr. Brown—

Mr. MOSER. Who is Mr. Peterson?

Mr. MEARS. He was a gambler in Hollywood.

Mr. MOSER. He was a gambler in Hollywood?

Mr. MEARS. Yes, sir.

Mr. MOSER. He was in conversation with Mr. Brown; who is Mr. Brown?

Mr. MEARS. A. D. Brown was a former city commissioner of Hollywood. He was one of the committee that was helping prosecute.

Mr. MOSER. One of the three citizens of the committee?

Mr. MEARS. Yes.

Mr. MOSER. You said Peterson was having a conversation with Brown?

Mr. MEARS. Yes, sir.

Mr. MOSER. Tell us what happened?

MR. MEARS. I believe at the time he addressed himself, addressed to Mr. Brown, that he wondered why he was being picked on, that he would give most anything to get this squared away against him. I believe that he offered a sum of money. If I understood correctly, I believe it was \$12,500.

MR. MOSER. Peterson——

MR. MEARS. Addressed that, I believe, to Mr. Brown.

MR. MOSER. He offered that to Mr. Brown?

MR. MEARS. At that time he was discussing—the conversation was directed to Mr. Brown.

MR. MOSER. Where did that conversation take place?

MR. MEARS. It happened across in front of Mr. Brown's house on a vacant lot.

MR. MOSER. On a vacant lot across from Mr. Brown's house?

MR. MEARS. Yes.

MR. MOSER. You are a plumbing contractor, you said, and do you have a license?

MR. MEARS. Yes.

MR. MOSER. For various things?

MR. MEARS. Yes; including septic tanks.

MR. MOSER. Including the installing of septic tanks; you have a license?

MR. MEARS. Yes, sir.

MR. MOSER. Was that license ever withdrawn?

MR. MEARS. Yes, sir; in the year 1950.

MR. MOSER. In 1950?

MR. MEARS. In 1950, I believe, about June, the best I can remember, in June my license was withdrawn in Hollywood.

MR. MOSER. It was withdrawn after the injunctions had been obtained?

MR. MEARS. Yes.

MR. MOSER. And did you ever have any conversation with anybody about that?

MR. MEARS. Why, Mr. Varon called me up and told me he understood I was having trouble.

MR. MOSER. Varon?

MR. MEARS. Joe Varon.

MR. MOSER. Who is he?

MR. MEARS. An attorney in Hollywood.

MR. MOSER. Do you know whom he represents?

MR. MEARS. I believe he represents the gamblers.

MR. MOSER. Anybody in particular?

MR. MEARS. Well, I believe he is representing at least 75 percent of the men that have been on trial for anything in Broward County.

MR. MOSER. Representing Jake Lansky?

MR. MEARS. Yes.

MR. MOSER. He does?

MR. MEARS. Yes.

MR. MOSER. Tell us about the conversation you had with Mr. Varon.

MR. MEARS. Mr. Varon called me and told me he understood I was having trouble with septic license.

MR. MOSER. I see. Go on.

Mr. MEARS. He said he would be glad to straighten it out for me. I told him I would accept his offer as long as it didn't have any strings attached, so he said he would do it for me, and he did.

Mr. MOSER. Were there any strings attached?

Mr. MEARS. No, sir.

Mr. MOSER. He didn't do that as a compromise?

Mr. MEARS. Well, that was my impression, but I just informed him, to begin with, that I wouldn't make any compromise.

Mr. MOSER. You said you would not make any compromise in connection with your injunction proceedings?

Mr. MEARS. Yes.

Mr. MOSER. I think that is all.

The CHAIRMAN. That is all. You are excused, Mr. Mears. Thank you very much.

(Witness excused.)

TESTIMONY OF HOMER L. AUSTIN, WEST HOLLYWOOD, FLA.

The CHAIRMAN. Do you before Almighty God swear that the testimony you give will be the truth, the whole truth, and nothing but the truth?

Mr. AUSTIN. I do.

The CHAIRMAN. Mr. Austin, I will have to ask you to talk loudly, talk distinctly and loudly, so that everybody may hear.

What is your full name?

Mr. AUSTIN. Homer L. Austin.

The CHAIRMAN. And your address?

Mr. AUSTIN. West Hollywood.

The CHAIRMAN. All right, Mr. Austin, that is pretty good; it could be a little better, but if you will just yell out, everybody will be able to hear you.

Mr. MOSER. What is your form of livelihood?

Mr. AUSTIN. Laborer.

Mr. MOSER. Laborer?

Mr. AUSTIN. Yes, sir.

Mr. MOSER. For whom do you work now?

Mr. AUSTIN. C. B. Smith.

Mr. MOSER. For whom did you work before that?

Mr. AUSTIN. L. C. Boggs.

Mr. MOSER. What was his business?

Mr. AUSTIN. He was a septic-tank man.

Mr. MOSER. A septic-tank manufacturer and installer of septic tanks?

Mr. MOSER. Did you ever see it in 1948 and 1949?

Mr. AUSTIN. A septic tank manufacturer.

Mr. MOSER. You worked for him as an installer of septic tanks?

Mr. AUSTIN. Yes, sir.

Mr. MOSER. Where did you spend most of your time?

Mr. AUSTIN. Well, working on the yard about half the time and the house about half the time.

Mr. MOSER. Half the time out in the yard and the other time where?

Mr. AUSTIN. You see, me and the boys made them and we went and put them in the yard.

Mr. MOSER. What did you do when you were not installing septic tanks?

Mr. AUSTIN. Worked around the yard, cutting grass.

Mr. MOSER. Worked around the yard cutting the grass of Mr. Boggs' house?

Mr. AUSTIN. Yes, sir.

Mr. MOSER. Mr. Boggs, the mayor of Hollywood; he is the mayor of Hollywood?

Mr. AUSTIN. Yes, sir.

Mr. MOSER. Did you go inside the house?

Mr. AUSTIN. Well, I went in and out a whole lot.

Mr. MOSER. You were in and out a lot?

Mr. AUSTIN. Yes, sir.

Mr. MOSER. Generally around the place?

Mr. AUSTIN. Yes, sir.

Mr. MOSER. Do you know Mert Wellons when you see him?

Mr. AUSTIN. Yes, sir.

Mr. MOSER. Do you know Jiggs Farrell when you see him?

Mr. AUSTIN. Yes, sir.

Mr. MOSER. Do you know Albert Peterson when you see him?

Mr. AUSTIN. Yes, sir.

Mr. MOSER. Do you know Ed Ventry?

Mr. AUSTIN. Yes, sir.

Mr. MOSER. And his son?

Mr. AUSTIN. His son?

Mr. MOSER. Yes.

Mr. AUSTIN. I didn't know he had a son. You mean, Ventry's son or Boggs' son?

Mr. MOSER. Oh, Boggs' son. Well, never mind, it isn't important. Do you know any other gamblers in Hollywood?

Mr. AUSTIN. I know Goldie.

Mr. MOSER. Goldie?

Mr. AUSTIN. Yes.

Mr. MOSER. Any others?

Mr. AUSTIN. No; that is about all.

Mr. MOSER. How do you know these people?

Mr. AUSTIN. Well, I gamble with them.

Mr. MOSER. You gamble with them at their places?

Mr. AUSTIN. Yes, sir; right in their places?

Mr. MOSER. Right in their places?

Mr. AUSTIN. Yes, sir.

Mr. MOSER. Did you ever see any of them at Mr. Boggs' house?

Mr. AUSTIN. Yes, sir.

Mr. MOSER. Often?

Mr. AUSTIN. Well, every week anyway.

Mr. MOSER. Once a week?

Mr. AUSTIN. Yes, sir.

Mr. MOSER. When did you work for Mr. Boggs; what year?

Mr. AUSTIN. I started to work with him in 1935, worked with him about 3 or 4 years, and I quit. I went to Alabama and came back with him and worked with him in 1936—1946 and 1945, up to 1949.

Mr. MOSER. You worked with him in 1946?

Mr. AUSTIN. Yes, sir.

Mr. MOSER. And you worked with him in 1949 and in 1948, as well?

Mr. AUSTIN. Yes. I came back in the last of 1948, worked the last of 1948, and then 1949.

Mr. MOSER. Did you ever see any evidence of any money around the place?

Mr. AUSTIN. Well, I seen Jiggs Farrell and Mr. Wellons come up there, and Jiggs Farrell had a money sack. He walked in the house with it in his hand?

Mr. MOSER. When was that?

Mr. AUSTIN. In 1946.

Mr. MOSER. Did you ever see it in 1948 and 1949?

Mr. AUSTIN. No; I never did see it in 1948 and 1949.

Mr. MOSER. But you did see it in 1946?

Mr. AUSTIN. Yes, sir.

Mr. MOSER. Did you ever see any actual money?

Mr. AUSTIN. No. I heard them count some money?

Mr. MOSER. You heard them count some money?

Mr. AUSTIN. I went in from a job, and, like I always do, went in to see if there was anything to do, anything else to do. I walked to the back door. I seen some cars out in front. I heard them in there talking. I heard money rattling. I stood in there for a few minutes.

Mr. MOSER. You heard them counting money as you went by?

Mr. AUSTIN. That's right.

Mr. MOSER. Who is R. W. Goldie?

Mr. AUSTIN. Well, he is just a gambler there in town. He runs a beer joint.

Mr. MOSER. Did you know anything about a payoff to Boggs?

Mr. AUSTIN. Yes. He told me he paid Boggs every Monday morning.

Mr. MOSER. Every Monday morning?

Mr. AUSTIN. Yes, sir.

Mr. MOSER. When did he last tell you that?

Mr. MOSER. The first of 1949?

Mr. AUSTIN. Yes, sir.

Mr. MOSER. And you gambled at Goldie's place, did you?

Mr. AUSTIN. Yes, sir; I gambled at Goldie's place.

Mr. MOSER. And you knew him?

Mr. AUSTIN. I knew him well.

Mr. MOSER. I think that is all we have to ask you.

The CHAIRMAN. All right. You are excused.

(Witness excused.)

TESTIMONY BY THOMAS J. ATTAWAY, HOLLYWOOD, FLA.

The CHAIRMAN. Do you before Almighty God swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth?

Mr. ATTAWAY. I do.

The CHAIRMAN. Your full name, please?

Mr. ATTAWAY. Thomas J. Attaway.

The CHAIRMAN. What is your address?

Mr. ATTAWAY. 2314 Lee Street, Hollywood.

The CHAIRMAN. Keep your voice up, please, and talk out loudly so that everybody may hear.

Mr. MOSER. What did you say your address was, 2314 Lee Street?

Mr. ATTAWAY. That's right.

Mr. MOSER. What is the address of Mayor L. C. Boggs, of Hollywood?

Mr. ATTAWAY. 2301 Lee Street.

Mr. MOSER. Practically across the street?

Mr. ATTAWAY. Yes, sir.

Mr. MOSER. Do you know M. B. Wellons by sight?

Mr. ATTAWAY. Yes, sir.

Mr. MOSER. Who is he?

Mr. ATTAWAY. He is a gambler, they say.

Mr. MOSER. He is a gambler?

Mr. ATTAWAY. Yes, sir.

Mr. MOSER. Do you know Jesse Wellons?

Mr. ATTAWAY. Yes, sir.

Mr. MOSER. The same is also a gambler?

Mr. ATTAWAY. Yes, sir.

Mr. MOSER. Let me ask you about the rest of these. Al Cordell?

Mr. ATTAWAY. Yes, sir.

Mr. MOSER. Jake Lansky?

Mr. ATTAWAY. Yes, sir.

Mr. MOSER. Do you know Jake Lansky by sight?

Mr. ATTAWAY. Yes, sir.

Mr. MOSER. Albert Cordell?

Mr. ATTAWAY. Yes, sir.

Mr. MOSER. Meyer Lansky, by sight?

Mr. ATTAWAY. Yes, sir.

Mr. MOSER. Al Peterson by sight?

Mr. ATTAWAY. Yes, sir.

Mr. MOSER. Jiggs Farrell?

Mr. ATTAWAY. Yes, sir.

Mr. MOSER. And they are all gamblers?

Mr. ATTAWAY. Yes.

Mr. MOSER. What do you do?

Mr. ATTAWAY. Transport driver.

Mr. MOSER. Do you drive a truck?

Mr. ATTAWAY. Yes.

Mr. MOSER. Have you ever been anywhere near Boggs' house?

Mr. ATTAWAY. Yes. I worked with him for about 14 years.

Mr. MOSER. Have you ever seen any of these gamblers at his house?

Mr. ATTAWAY. All of them.

Mr. MOSER. While working for Mr. Boggs?

Mr. ATTAWAY. Yes, sir.

Mr. MOSER. Did they go there often?

Mr. ATTAWAY. Yes, sir.

Mr. MOSER. Frequently?

Mr. ATTAWAY. Yes, sir.

Mr. MOSER. Do you know whether Boggs ever visited them?

Mr. ATTAWAY. Well, Boggs visited Wellons' house one night. I was in the car with him.

Mr. MOSER. You were with Boggs when he visited Wellons?

Mr. ATTAWAY. Yes, sir.

Mr. MOSER. Did you ever see any money around?

Mr. ATTAWAY. Nothing, only a money sack. I couldn't swear what was in it.

Mr. MOSER. You said you saw a money sack, but you don't know what was in it?

Mr. ATTAWAY. Yes, sir.

Mr. MOSER. Tell us the circumstances.

Mr. ATTAWAY. It was in Al Cordell's car.

Mr. MOSER. What was done with it?

Mr. ATTAWAY. Boggs taken it out. Now, what he did with it, I don't know.

Mr. MOSER. Where did that happen?

Mr. ATTAWAY. Out at the hog farm.

Mr. MOSER. Whose hog farm?

Mr. ATTAWAY. Mr. Boggs' hog farm.

Mr. MOSER. Were you there at the time?

Mr. ATTAWAY. Yes, sir.

Mr. MOSER. Was there anything in this sack?

Mr. ATTAWAY. Well, it could have been newspapers, from what I know. I couldn't say.

Mr. MOSER. Anyway, it was at the hog farm?

Mr. ATTAWAY. Yes, sir. There was something.

Mr. RICE. Did they carry it like it was heavy or carry it like it was light?

Mr. ATTAWAY. Like it was light.

Mr. RICE. Like it had paper money in it?

Mr. ATTAWAY. Yes, sir.

Mr. MOSER. Did Boggs ever tell you that he had ever loaned any money to any gambler?

Mr. ATTAWAY. He said he loaned old Papa Joe \$10,000 to cover a mortgage on his home.

Mr. MOSER. Who is Papa Joe?

Mr. ATTAWAY. He is around the barrooms and the bookie joints.

Mr. MOSER. Is he a bookie?

Mr. ATTAWAY. They say he is. I couldn't swear to it.

Mr. MOSER. Boggs told you that he loaned Papa Joe \$12,500?

Mr. ATTAWAY. \$12,000.

Mr. MOSER. \$12,500. You don't know Papa Joe's full name?

Mr. ATTAWAY. I don't know his full name. All I know is Papa Joe.

Mr. MOSER. He is just a character around there?

Mr. ATTAWAY. That's right.

Mr. MOSER. Does Papa Joe own any place of business that you know of?

Mr. ATTAWAY. Well, he has bought the Gay Nineties, formerly the Rex Garden; that is the Gay Nineties now.

Mr. MOSER. He owns the Gay Nineties Club in Hollywood?

Mr. ATTAWAY. State Road 7.

Mr. MOSER. What kind of a place is that?

Mr. ATTAWAY. A bookie room and barroom.

Mr. MOSER. A gambling joint?

Mr. ATTAWAY. Yes, sir.

Mr. MOSER. Do you know whether Boggs had any dealings with Governor Warren?

Mr. ATTAWAY. Well, at the time of the campaign he said that he was for Dan McCarty; but he told all the boys that he had a big barbecue on the farm for Fuller Warren.

Mr. MOSER. I see. I think that is all. Thank you.

The CHAIRMAN. That is all. We are much obliged to you, Mr. Attaway.

(Witness excused.)

The CHAIRMAN. The witnesses who responded today and were told that they need not come back tonight because of the possibility that this session might extend until this hour or later, will be here the first thing in the morning.

At this time, therefore, we will adjourn for the evening and resume at 9:30 tomorrow morning.

(Thereupon, the hearing was adjourned until 9:30 a. m. June 22, 1951.)

INVESTIGATION OF ORGANIZED CRIME IN INTERSTATE COMMERCE

THURSDAY, JUNE 21, 1951

UNITED STATES SENATE,
SUBCOMMITTEE OF THE SPECIAL COMMITTEE
TO INVESTIGATE ORGANIZED CRIME IN INTERSTATE COMMERCE,
Miami, Fla.

EXECUTIVE SESSION

The subcommittee met, pursuant to the call of the Chairman, at 8:30 p. m., June 21, 1951, in the Dade County Court House, Senator Herbert R. O'Connor (chairman) presiding.

Present: Senator O'Connor.

Also present: Downey Rice, associate counsel; Thomas S. Smith, investigator.

The CHAIRMAN. The hearing will come to order.

TESTIMONY OF ETHEL GERTRUDE SULLIVAN, MIAMI, FLA., ACCOMPANIED BY JACK KEHOE, ATTORNEY

The CHAIRMAN. Do you solemnly swear the testimony you will give this committee will be the whole truth and nothing but the truth, so help you God?

Mrs. SULLIVAN. I do.

Mr. KEHOE. Mr. Chairman, at this time I wish to advise the counsel and the committee that at the present time the grand jury of the southern district of Florida has under consideration an income tax prosecution matter concerning Mrs. Sullivan, and it is our hope that no questions would be asked her that would relate to those matters that would tend to embarrass her in any way.

The CHAIRMAN. Well, Counsel, I might state in response to your objection that it is not the intention of the committee to direct its inquiry for the purpose of incriminating Mrs. Sullivan in any income-tax transactions. That is not our function, and that will not be the purpose or the object sought in this inquiry.

Mr. KEHOE. In that connection I wish to further state that I have attempted to advise Mrs. Sullivan of her rights. I have prepared and furnished her a statement which she may use when she wishes to refuse to answer questions.

Mr. RICE. I might ask Mr. Kehoe at this point upon what it is you base your statement that there is an income-tax investigation relating to Mrs. Sullivan?

Mr. KEHOE. The local paper reported it. I have heard it generally. I know nothing about it personally.

Mr. RICE. I mean, you have no actual notice from the tax agents about this matter?

Mr. KEHOE. One time before I came into the case this tax matter was being negotiated or worked on, and a decision of it was reached through the Atlanta office. The matter was closed. Since then the people have been informed that that order has been superseded or overriden, that is, it has been quoted in the press.

Mr. RICE. You say "the people have been informed." What do you mean?

Mr. KEHOE. I forget the gentleman's name. Cunningham, I believe, according to the press. I have never seen him in my life. But the papers quoted him as saying that he is down here representing income tax matters, and they say they expect an indictment against James Sullivan and Mrs. Sullivan.

Mr. RICE. To your knowledge, have there been any witnesses called relating to those matters?

Mr. KEHOE. That I wouldn't know. I have made no attempt to find out.

Mr. RICE. Are you representing the Sullivans in the tax case?

Mr. KEHOE. I don't know whether I will or not. I recognize my own limitations and my limitations in tax matters are great. I don't know whether I will represent them or not.

Mr. RICE. As a matter of fact, there is no tax case?

Mr. KEHOE. I have spoken to them about it. I don't know whether I am qualified or not, but it looks like I am going to wind up with it whether I want to or not.

Mr. RICE. To make an objection for the record, it seems to me to be a rather tenuous objection based upon something written in a newspaper, using that as the basis for asserting a privilege.

The CHAIRMAN. We will proceed.

Mr. RICE. All right, you have been sworn, and your name is Ethel Sullivan?

Mrs. SULLIVAN. That is right.

Mr. RICE. Ethel Ford was your maiden name?

Mrs. SULLIVAN. That is right.

Mr. RICE. And where does the Gertrude come in?

Mrs. SULLIVAN. That is my name, Ethel Gertrude Sullivan.

Mr. RICE. And where were you born, Mrs. Sullivan?

Mrs. SULLIVAN. At Perryman, Md.

Mr. RICE. And your parents, Mr. and Mrs. Ford, are still living there?

Mrs. SULLIVAN. They have lived there for years. They were born there, their parents were born there, and it has been their home for generations.

Mr. RICE. When were you married to Jimmy Sullivan?

Mrs. SULLIVAN. I just don't know. I can show it to you. It was in 1930, I guess.

Mr. RICE. Where did that marriage take place?

Mrs. SULLIVAN. Titusville, Fla.

Mr. RICE. Is that your only marriage?

Mrs. SULLIVAN. Yes, of course. I have never been married before.

Mr. RICE. Now, then, you came down to Florida in 1930, you say?

Mrs. SULLIVAN. I think it was 1931 or 1932, I guess.

Mr. RICE. Do you have or did you have a relative by the name of Carvel Ford?

Mrs. SULLIVAN. Yes; he was my uncle.

Mr. RICE. Now, on which side of the family was that?

Mrs. SULLIVAN. He was my father's half brother.

Mr. RICE. What was Carvel Ford's wife's name?

Mrs. SULLIVAN. Edith Ford.

Mr. RICE. Where is Edith?

Mrs. SULLIVAN. I really don't know. I haven't heard from Edith. She kind of turned all of a sudden. She was very friendly with me and I just don't understand why she did. But all of a sudden she just kind of broke away from the family.

Mr. RICE. I notice a telephone call to Edith out in Illinois.

Mrs. SULLIVAN. I tried to get Edith two or three times to come down and visit with me. And I wanted her to come, I thought maybe we might go in a little business or something. She is a very wonderful restaurant woman. She always said if I saw anything down here that looked good, to always get in touch with her. I did try to get in touch with her out in Colorado last summer.

Mr. RICE. Is that the last place you heard?

Mrs. SULLIVAN. Yes. And I wanted her to come down and visit with me and stay with me, because she always said I was her favorite niece, and then all of sudden she just completely ignored me.

The CHAIRMAN. Mrs. Sullivan, are Mr. and Mrs. Ford still living?

Mrs. SULLIVAN. Yes.

The Chairman. They are still living in Harford County?

Mrs. SULLIVAN. Oh, yes; they are still living there. I think Mr. Rice knows. He has been up there to visit them, along with the Mitchells and the Bakers and the Terrys—I have just had so much of this, I just can't take any more of it.

Mr. RICE. Now, did Carvel and Edith Ford—

Mrs. SULLIVAN. They just treat us like criminals and everything.

Mr. KEHOE. Mrs. Sullivan, just pay attention to the questions and answer them just as briefly as you can.

Mr. RICE. Did Carvel and Edith live in Aberdeen before they came down here?

Mrs. SULLIVAN. Yes, they did. They had a restaurant.

Mr. RICE. They had a restaurant there and moved here in 1946?

Mrs. SULLIVAN. Yes, I think they came down here—I don't know just what date it was they came down here and bought a house.

Mr. RICE. Is that the first place they moved in there over there on Thirtieth?

Mrs. SULLIVAN. No, they came down here every winter for years and years.

Mr. RICE. Did they buy a house over there on Thirtieth?

Mrs. SULLIVAN. They bought a house over on Thirtieth Road.

Mr. RICE. Thirtieth Road?

Mrs. SULLIVAN. Yes. And that is the house that Jimmy bought from them, from Carvel.

Mr. RICE. Did Jimmy buy that house from Carvel?

Mrs. SULLIVAN. I think so.

Mr. RICE. What was the deal on that house?

Mrs. SULLIVAN. I really couldn't tell you. It was the biggest mix-up that was ever in this world. I wouldn't even try to explain it to you. I wouldn't know.

Mr. RICE. Now, just to make the record clear, that is the house at 261 Southwest Thirtieth Road.

Mrs. SULLIVAN. I didn't enter into any transactions, so I really don't know.

Mr. RICE. There is a picture of it, isn't it [indicating]?

Mrs. SULLIVAN. Yes.

Mr. RICE. The Fords came down from Aberdeen and bought that place, you say?

Mrs. SULLIVAN. Yes, they bought it.

Mr. RICE. Did you folks have any interest in it when they bought it?

Mrs. SULLIVAN. I really don't know. I really couldn't tell you, Mr. Rice. I don't know about that. I wasn't even here. I went up home that summer, and when I came back they had gone. I didn't know why.

Mr. RICE. They were just here a few months?

Mrs. SULLIVAN. I think so.

Mr. RICE. Where did they bring their furniture from? The house was unfurnished, I believe, when it was bought.

Mrs. SULLIVAN. It was from up there in Illinois. I don't know what town.

Mr. RICE. They brought the furniture from Illinois?

Mrs. SULLIVAN. Yes, I think so.

Mr. RICE. They didn't come down from Perryman, then?

Mrs. SULLIVAN. No.

Mr. RICE. They came down from Illinois?

Mrs. SULLIVAN. Yes, they were from Illinois.

Mr. RICE. And they moved the furniture?

Mrs. SULLIVAN. I think so. I really don't know for sure. That is just a recollection from Edith's conversation.

Mr. RICE. And you all moved in the house, didn't you?

Mrs. SULLIVAN. Well, yes, we moved over there later.

Mr. RICE. What happened there?

Mrs. SULLIVAN. I wasn't here at the time. I was up in Aberdeen.

Mr. RICE. When you came back from Aberdeen, what did you find?

Mrs. SULLIVAN. Well, they were gone. I didn't find anything. Jimmy said he was going to rent it and then we were going to buy it later on. He had made some arrangement with Carvel and there was a mix-up, they had to have a witness, and I don't know what all. I know there was a mix-up with it and I don't know how they got out of it. I really don't. I know they had an awful time with it, it was back and forth, and they got mixed up there.

Mr. RICE. Were you having family difficulties with Carvel Ford; was there a falling out among friends there?

Mrs. SULLIVAN. No.

Mr. RICE. What was the mix-up on it?

Mrs. SULLIVAN. Just later on, I don't know what happened to Edith. She just kind of turned against the family after Carvel died.

Mr. RICE. You see how it is from our point of view. It appears to be a simple transaction if Carvel and Edith were in the house and you took it over from them.

Mrs. SULLIVAN. Certainly. But I don't know why they had such a mix-up. I think one man wanted it and there was a Greek that got it first, and Carvel had promised to sell it to Jimmy first; I think that was the way it was.

And then I think he then sold to Poulos; I am not positive. I really wouldn't know. I just wouldn't want you to put it down in the record, because I really wouldn't know for sure how it was. I really never delved into it too much, because I didn't know much about those real estate transactions. Jimmy was always buying and selling it and trying to make a little money. He was always trying to do that ever since I married him, you know that.

Mr. RICE. When you sell the real estate, it would be necessary for you to sign along with him, wouldn't it?

Mrs. SULLIVAN. I presume so.

Mr. RICE. Lots of times you would have to sign?

Mrs. SULLIVAN. Yes.

Mr. RICE. So you would have to know a little something about it?

Mrs. SULLIVAN. Yes.

Mr. RICE. In any event you moved in that summer, and what about the furniture; where did the furniture come from?

Mrs. SULLIVAN. Oh, I moved some of my furniture over there, and some of Edith's was over there. I know she left a couple of rugs and two or three chairs, and I took over some things—my personal things and furniture.

Mr. RICE. Was the main balance of the furniture Edith's?

Mrs. SULLIVAN. Yes.

Mr. RICE. The big things like the dining room furniture and bedroom furniture?

Mrs. SULLIVAN. Yes, the stove and the ice box.

Mr. RICE. But did you take that over then and keep it, or did it go back to her then?

Mrs. SULLIVAN. No, it stayed right there. It was right in the house.

Mr. RICE. It never has gone back?

Mrs. SULLIVAN. No. Oh, no. We sold the house later, too, and sold the furniture.

Mr. RICE. Were you renting the place for a while from Carvel?

Mrs. SULLIVAN. Yes; I think Jimmy was renting it. I think he gave him some money. I don't know how much he gave Carvel or I don't know what their plans were. But I know he had some kind of an agreement with Carvel that he was going to rent it from him for a while, and later on when he got the other mess straightened out, he was going to buy it from him.

Mr. RICE. Now, you said something about a Greek being in there; who was that?

Mrs. SULLIVAN. Well, I don't know.

Mr. RICE. Is it the fellow Poulos, you are talking about?

Mrs. SULLIVAN. Yes.

Mr. RICE. Did you ever see him?

Mrs. SULLIVAN. No. I said I wasn't here that summer.

Mr. RICE. You just kind of halfway heard something about it; you don't know what the rest was?

Mrs. SULLIVAN. Well, as I say, I was up home just about all that summer. I brought my mother down with me. It was right after the election then, I think, after the 1944 election.

Mr. RICE. Do you have a brother in New York?

Mrs. SULLIVAN. I have a brother in New York and Philadelphia.

Mr. RICE. What is his name?

Mrs. SULLIVAN. Which one? There is Carroll and Grayson. Grayson is in Philadelphia and Carroll is in New York.

Mr. RICE. What does Carroll do?

Mrs. SULLIVAN. Carroll works for the Government. He has worked for the Government for many years.

Mr. RICE. What part of the Government?

Mrs. SULLIVAN. I don't know. It is the Air Force, I don't know just what part. I think he left there not so long ago, though I am not sure.

Mr. RICE. How about Grayson?

Mrs. SULLIVAN. Well, he does contracting. He takes jobs like filling on—what do you call it?

Mr. RICE. Let's see. Mrs. Neu is in your family, isn't she?

Mrs. SULLIVAN. That is right.

Mr. RICE. Do you have any other brothers and sisters?

Mrs. SULLIVAN. No; that is all.

Mr. RICE. Mrs. Neu is up in Aberdeen, for the record?

Mrs. SULLIVAN. That is right.

Mr. RICE. Now, there came a time in 1945, I believe, when the Fords, your father and mother, had a mortgage paid off up there in Perryman. Did you provide that money?

Mr. KEHOE. We are going to object to that, if the Chairman please.

Mrs. SULLIVAN. I was in Washington you know, and I made a special trip there to see you last September, Mrs. Christman and I. We went to see Mr. Kefauver and he was out of town. As you know, Martha is a friend of the Kefauvers, and we wanted to go in and see him and I wanted to explain all this to him. I really did. Because, after all, I just wanted to tell him, but I thought we would just call you and we would come in to see you. And then you wanted me to stay over that night and I told you she had to get back. And she wanted me to take a plane and I couldn't fly, so I took that late train home. That is the reason I didn't call you the next morning, Mr. Rice. I didn't want my husband to know we were in Washington. I knew he wouldn't approve of it. But I think a woman, she can kind of explain things like that a little more, and I wanted to tell you all about it, because you had been up there to see my mother and father and my sister and all, and they said you were very nice to them. So I wanted to talk to you about it. There was nothing I was trying to hide.

And now Jimmy is in this tax thing and I don't know what is going to happen. And I have had 6 years of all this, Mr. Rice, and I just can't take much more.

Mr. RICE. Have you ever been in a situation where it didn't appear to you to be a good policy to make a clean breast of things?

Mrs. SULLIVAN. Well, I have made a clean breast—

Mr. KEHOE. Just a moment, I object.

Mrs. SULLIVAN. I have nothing to hold back.

Mr. KENOE. Mr. Chairman, I want to object to that question. I don't think it is a fair or proper question, "Have you ever been in a situation where it didn't appear to you to be a good policy to make a clean breast of things?" That is not a question that is ordinarily characteristic of a senatorial investigation. That borders more on a criminal prosecution or inquisition. I think it is an improper question to ask a witness at this type of hearing.

The CHAIRMAN. Well, I take it as a preliminary matter. It doesn't of course shed any light upon the facts of any particular transaction, one way or another. But inasmuch as I assume counsel asked the question in view of the fact that she made the statement she had come to Washington and had visited Senator Kefauver's office and, not finding him, went to Mr. Rice. And then I assume, although I am just sort of making inferences, that she indicated she was coming back again to see Mr. Rice. Is that what you did?

Mrs. SULLIVAN. I was going to stay overnight, and then come back to Florida.

Mr. RICE. I think I indicated to her that I would like to talk further.

Mrs. SULLIVAN. Yes, but I thought maybe my husband—I mean, I had my husband to think of.

The CHAIRMAN. You have explained that.

Mrs. SULLIVAN. I just wanted to explain the whole transaction, how it came about and all. Certainly, anyone who has their mother and father involved and their sister—I just wanted to tell you about it.

Mr. RICE. Well, now, did you tell me?

Mrs. SULLIVAN. Yes, I did.

Mr. RICE. What you told me was right, wasn't it?

Mrs. SULLIVAN. Certainly. I hope so. Certainly, it was right.

Mr. RICE. Well, was it?

Mrs. SULLIVAN. Everything I told you was right. Certainly. You have it all down there in black and white. You talked to my mother and father and I don't think they told you anything misleading. They are not that kind of people.

Mr. RICE. You don't believe they did. Well, now, there was a couple of things we didn't get to, and I did want to follow up a little on that. For instance, this letter; do you recognize that?

(Mrs. Sullivan examines letter.)

Mr. RICE. Is that a letter you wrote?

Mrs. SULLIVAN. Yes.

Mr. RICE. And that is your signature on the bottom?

Mrs. SULLIVAN. Yes.

Mr. RICE. And that is a letter you wrote to Mr. Volkart who is a lawyer up there?

Mrs. SULLIVAN. Yes.

Mr. RICE. We want to offer that.

The CHAIRMAN. The letter dated October 2, 1945, handwritten, to Ernest Volkart, 407 Title Building, Baltimore, Md., will be received and marked in evidence.

(Said letter was identified as "Exhibit No. 20" and appears in the appendix on p. 235.)

Mr. RICE. Now, I am going to take up the conversation we had, and you have said that everything you told me was right. If I repeat it and I am wrong in anything I say, please feel free to correct me because I am not trying to impose my recollection upon you.

Mrs. SULLIVAN. All right.

Mr. RICE. Now, at this talk we had another man present whose name was Harold G. Robinson. And you told us at that time in discussing these transactions up there that you felt that you wanted to do something for your parents, and that the mortgage on the place there was somewhat of a burden on them in their declining years, and you wanted to help them out.

So, accordingly, you sent the money up to pay off the mortgage that the Mitchells held, and that in turn, in line with the instructions here, a mortgage was executed and returned from your parents to you and Jimmy.

Now, then, you told us, if I recall correctly, that Jimmy didn't know anything about any of that money going up there; do you remember that?

Mrs. SULLIVAN. Yes, I did.

Mr. RICE. Now, do you want to change that any?

Mrs. SULLIVAN. No.

Mr. RICE. Now, you notice in the letter here it says, "My husband wants the proper papers made out for \$7,500 for 10 years at 6 percent?"

Mrs. SULLIVAN. Well, I would say that, naturally.

Mr. RICE. You would say that?

Mrs. SULLIVAN. Why, surely I would. Seven thousand five hundred dollars—I wouldn't say that he and I had never, you know, discussed it between us. I won't say we didn't, because I think several times I have said I wanted to help my mother and father, but he told me many times that we certainly couldn't afford to. And, of course, I would try to think of some way, you know, that I could without him knowing about it. And it wasn't that—I know he would do it, but he just knew that we just couldn't afford to, and I knew he certainly wouldn't approve of it at that time. I don't think one side of the family resents helping the other side, but Jimmy certainly isn't a person that likes to spend money. He never was.

Mr. RICE. Well, what was the reason for putting this in there; was there any need for that?

Mrs. SULLIVAN. Oh, I don't know why I did it at the time. I guess it just came to my mind when I was writing the letter. I don't even remember writing the letter, to tell you the truth. Of course, I wrote it, but I don't know when I wrote it. I don't remember. I have read that, but I wouldn't be able to tell you what was in the letter right now.

Mr. RICE. I appreciate that, but I was just wondering whether you are in the habit of putting things in a letter that weren't so? I mean, it looks to me like he knew about it, when you said "my husband——"

Mrs. SULLIVAN. Well, I probably did say that, but I know I kept it from him. And I certainly kept things like that from the family. Jimmy is just not a person to spend money. He was always very careful of it, and when he went into office he tried to be very careful.

Mr. RICE. Well, now, how was it possible for you to get hold of this money that went up there without Jimmy knowing about it?

Mrs. SULLIVAN. I think I told you that in Washington.

Mr. RICE. It is my recollection, Mrs. Sullivan, that you said that during the 1944 campaign, that is, the sheriff's campaign here, that there were campaign contributions which came into the fund for Jimmy and some of it was turned over to you. And I don't recall exactly the words you used, but you appropriated the money for your own use, that is, you extracted and kept it, and that was the money that was sent up to Aberdeen; is right?

Mrs. SULLIVAN. Is that what I told you?

Mr. RICE. Well, I am asking you.

Mrs. SULLIVAN. Is it my recollection? I guess it is.

Mr. RICE. Is that right?

Mrs. SULLIVAN. I think that is right.

Mr. RICE. Later on when the house was built for the Neus up there, that was in the 1948 campaign, there was considerable more money?

Mrs. SULLIVAN. Well, it was a different campaign, you know, than the first one. Of course, the first time it was just something that never occurred in Dade County.

Mr. RICE. You mean so much money came in?

Mrs. SULLIVAN. Well, it was just politically, you know—the papers were pouring this money on Palmer's side, and Jimmy's friends were helping him on his side. You know, it was just something—well, there had been nothing like it here in Dade County before of that kind. People from all sources and walks of life would come in and want to help.

Mr. RICE. And they turned their money over to you down there at the campaign headquarters, and some of it he just didn't find out about?

Mrs. SULLIVAN. That is right. No, he didn't know about anything that went on in that office, because he was never there.

Mr. RICE. I think the Neus testified that the cost was in the neighborhood of \$19,000 and a garage cost \$1,000, making a total of \$20,000. Do you recall about how much of that you sent up there to them?

(No response.)

Mr. RICE. Was it all of it?

Mrs. SULLIVAN. No. I know the house that Major Rice bought, and I didn't want my sister to turn that house over to me. I never told her to do that.

Mr. RICE. That is referring to the Bel Air Avenue house?

Mrs. SULLIVAN. Yes. I knew someday she wanted to be all right. I did want to help her, but this Major Rice was a friend of the Neus, and they were renting the house from her and they really wanted to buy the house. They just kept after her and kept after her.

Mr. RICE. The Rices did?

Mrs. SULLIVAN. Yes, to buy the house from her. And so she would keep on calling me, and I said, "Well, I just think it is terrible."

Mr. RICE. Well, how did it get in your name in the first place?

Mrs. SULLIVAN. She put it in my name.

Mr. RICE. Why did she put it in your name?

Mrs. SULLIVAN. I don't know why she did it. I just don't know why. That is what has caused all this trouble. It is just one of those unusual things. I don't know why she did it. I didn't tell her to do it, that she had to sign that property over to me. She could have gone

ahead and then if she had wanted to have given me what she got out of it, it would have been all right. It wouldn't have made any difference, and all of this stuff wouldn't have had to be done.

MR. RICE. Was it because she felt she owed it to you?

MRS. SULLIVAN. Yes. She really didn't think the house was going to cost as much as it did when she started out.

MR. RICE. The one on Rogers Avenue didn't cost as much?

MRS. SULLIVAN. No. So she started it and just got involved in it, and of course I helped her out, you know, since it was more than she thought it was going to cost.

MR. RICE. So that she, without you knowing it, deeded the house on Bel Air Avenue to you as an individual?

MRS. SULLIVAN. That is right.

MR. RICE. And then the Rices wanted to buy it?

MRS. SULLIVAN. They wanted that house very badly. The price was set at \$10,500, and then a deed was drawn up. I didn't want any of it. I didn't want Jimmy to know that I had any part to do with it. I just let her go ahead and do what she wanted to do, you know. I just said, "Well, keep it up there and I don't want any part of it."

MR. RICE. She sent a deed down to you, though?

MRS. SULLIVAN. I think she has willed the home to the children. Now, I mean that was her way of trying to——

MR. RICE. She would will the Rogers Avenue home to whose children, your children?

MRS. SULLIVAN. No.

MR. RICE. Where she lives now?

MRS. SULLIVAN. Yes.

MR. RICE. Now, when the Rices wanted to move in, there was a purchase contract which was evidently sent down by Mrs. Neu to you to be signed—a purchase agreement. I think you have a copy of that?

MRS. SULLIVAN. I guess I signed it if she sent it down. I know she sent the deed down.

MR. RICE. That was this exhibit No. 19 in the record, which is a purchase agreement dated November 1949 between Ethel Sullivan to Thomas A. Rice and Ruth Emily Rice, ostensibly signed by Ethel and James Sullivan [indicating].

(Mrs. Sullivan examines exhibit No. 19.)

MR. RICE. Do you recognize that?

MRS. SULLIVAN. Yes.

MR. RICE. Did you sign it?

MRS. SULLIVAN. Yes.

MR. RICE. Did you sign both signatures?

MRS. SULLIVAN. Yes.

MR. RICE. I think you told me before you signed it, too?

MRS. SULLIVAN. Yes.

THE CHAIRMAN. Mr. Rice, it might expedite matters if you would give your recollection of the story and then see if she will affirm it.

MR. RICE. Well, as I understand it, she said, not wanting Jimmy to know anything about it when it came down, she signed both names. Later on the deed came back, or the purchase agreement, that is. There is a deed that came later. Isn't that right?

Mrs. SULLIVAN. Yes, I think so.

Mr. RICE. So that that isn't Jimmy's signature?

Mrs. SULLIVAN. No, it is my signature.

Mr. RICE. And then following that, they sent the deed down which was the deed dated the 1st of December 1949, of which there is a photostatic copy here.

(Mrs. Sullivan examines photostatic copy of deed.)

Mr. KEHOE. May I advise Mrs. Sullivan?

The CHAIRMAN. Yes, indeed.

(Discussion off the record.)

Mr. KEHOE. Let the record show that Mrs. Sullivan will refuse to answer the question as follows: "I will refuse to answer that question for fear that by my answering the question I might incriminate myself on a violation of one or more of the Federal statutes and possibly a State statute, and for that reason I decline to answer it."

The CHAIRMAN. Now, Mr. Rice, you may proceed.

Mr. RICE. As I recall, you told Mr. Robinson and myself that the deed was sent down to you by Mrs. Neu and that you signed both your own signature and Jimmy's on the deed, and that the acknowledgment which appears on the second page, showing it was signed purportedly in the presence of a notary, was obtained by you from the young lady in the sheriff's office; that you just merely told her to notarize that as an accommodation to you and she did so; is that correct?

Mr. KEHOE. Let it stand as though she made the objection which I dictated in the record here, if she wants.

Mrs. SULLIVAN. I refuse to answer the question on the grounds Mr. Kehoe stated.

The CHAIRMAN. Very true. But, of course, it is necessary to instruct the witness to answer, and does she still persist in her refusal?

Mr. KEHOE. No, go ahead and answer the question, after the chairman has instructed her to answer, notwithstanding the objection.

The CHAIRMAN. As I understand the objection, counsel makes no point that this will have anything to do with income-tax violations. That is not in the picture at all?

Mr. KEHOE. That is correct. That is why I took the privilege of redictating it to show that it was her statement.

Mrs. SULLIVAN. Will you repeat the question, please?

Mr. RICE. It was my recollection you told Mr. Robinson and myself that when you received the deed sent down from Aberdeen by Mrs. Neu or Mr. Kronum, as the case may have been, that you signed both names, both yours and Jimmy's to the deed, and that the acknowledgment on page 2 by the notary was obtained by you—the young lady was just an employee there in the sheriff's office, and that you told her to go ahead and notarize this document, and you sent it on up there and Jimmy knew nothing about it; is that correct?

Mrs. SULLIVAN. That is right.

Mr. RICE. And your answer is you did?

Mrs. SULLIVAN. That is right; I did.

Mr. RICE. Then referring to this signature on there of Jimmy Sullivan, you wrote that yourself "James Sullivan"?

Mrs. SULLIVAN. I refuse to answer that.

Mr. KEHOE. Just a moment.

Mr. RICE. Well, you confirmed the statement which I made regarding your conversation, did you not. You said what I said was right, in your opinion, or that it was your recollection of what you told us?

Mrs. SULLIVAN. Well, I just don't remember. All I did tell you, I know it was informal conversation and I was just trying to explain things to you.

Mr. RICE. Well, irrespective of whether you remember it or not, you remember what is the truth, don't you, and if there was anything in that statement that I repeated there that sounded like it wasn't true, you would recognize it? I mean, the truth never changes?

Mrs. SULLIVAN. That is right.

Mr. RICE. So is that a true story of what happened when Mrs. Neu sent the deed down?

Mrs. SULLIVAN. You mean that I signed?

Mr. RICE. Yes.

Mrs. SULLIVAN. That I signed for both parties?

Mr. RICE. Yes.

Mrs. SULLIVAN. Yes.

Mr. RICE. And now, therefore, is that your writing here or a photographic copy of it?

Mr. KEHOE. It seems to me it is already answered.

Mr. RICE. I think so, too. Isn't that right?

Mrs. SULLIVAN. Yes.

Mr. RICE. I just want to tie down this particular exhibit, if possible, Mr. Counsel. I think you follow me on that. Is that your writing there [indicating]?

Mrs. SULLIVAN. Well, now, I presume it is.

Mr. RICE. Then, of course, Mrs. Neu didn't witness that. She was up in Maryland all the time? I think she has testified that she was up in Maryland and you were down here during the entire time?

Mrs. SULLIVAN. That is right.

Mr. RICE. Now, then, do you remember talking to Don Petit, of the Miami Daily News, about this situation?

Mrs. SULLIVAN. Yes. When you talk to those newspaper people, though, you know, they just don't—

Mr. KEHOE. He just asked if you ever talked with Don Petit. Tell him "yes" or "no," so we can go ahead.

Mrs. SULLIVAN. Yes; I did.

Mr. RICE. And he reports in an article on November 8, 1950, in discussing this transaction in part:

The committee attached photostats which reported the sale of the house for \$10,000 signed by Ethel G. Sullivan and James Sullivan. Mrs. Sullivan said she signed both names.

Do you remember telling him that?

Mr. KEHOE. Mr. Chairman, we are going to object to asking this witness to verify what a newspaper man published in a newspaper article. The article will speak for itself.

The CHAIRMAN. That is true; except I understand the inquiry is directed not to what was published in the paper, but what the witness told the reporter.

Mrs. SULLIVAN. I probably didn't tell him exactly like that. You know how those newspaper reporters make up their own story and

distort it. The next day when I came from Washington that was all in the paper, all of my sister's testimony word for word, and I suppose that is where they got it from.

Mr. RICE. Now, then, there is one other thing I am a little bit interested in. Our previous testimony indicates that the \$10,000 which was put up by the Rices to buy this property was drawn in two checks, one for \$5,000 on December 2, 1949, I believe, and one for \$5,000 on December 7, 1949. Mrs. Neu testified that the \$10,000 was drawn in two checks of \$5,000 each and deposited and drawn to her, and she cashed them there at the bank in Aberdeen and took the money over to your parents and left it there in cash, in accordance with your instructions, and she couldn't understand why you wanted the money in two checks like that.

Mrs. SULLIVAN. No reason at all. She just probably did it on her own account. I wouldn't know why.

Mr. RICE. She said you instructed her to do that.

Mrs. SULLIVAN. Well, I just don't remember how I told her to do it. I told her to go ahead and do what she wanted to; I didn't want any part of it.

Mr. RICE. You did tell her to take the money over to the Fords, though, and leave it there?

Mrs. SULLIVAN. I don't know whether I did or not.

Mr. RICE. She said you did.

Mrs. SULLIVAN. I don't know whether I did or not.

Mr. RICE. It may help you to know there were telephone calls between you and Mrs. Neu on December 2 and December 7, 1949, the same dates those checks were drawn and deposited.

Mr. KEHOE. May I inquire if there was any tapping of the wires that furnished counsel with that information.

Mr. RICE. No. When you make a long-distance call, the telephone company makes a record of the number called and the person called, so they can charge it on your bill. We obtained it from that record.

Mrs. SULLIVAN. She called me several times; yes.

Mr. RICE. On those particular 2 days the two checks were drawn?

Mrs. SULLIVAN. I don't remember that. I really don't. I couldn't tell you truthfully what date it was or what the conversation was.

Mr. RICE. Is the money still up there, as far as you know?

Mrs. SULLIVAN. Well, I refuse to answer that, Mr. Rice.

Mr. RICE. On what grounds? It was up there on September 5, 1950, for your information, so that brings it pretty well up to date. I think there is a statement in the record from Mr. and Mrs. Tredick Ford given along about September 1950 in which they say the money was up there then. Is that right?

Mrs. SULLIVAN. If they said it was there, it was there.

Mr. RICE. Now, then, is the money still there?

Mrs. SULLIVAN. Well, I refuse to answer that question.

Mr. RICE. On what grounds?

Mrs. SULLIVAN. At the present time the Federal grand jury for the southern district of Florida has taken under consideration the investigation of income-tax returns for prior years, and if I should answer that question I might incriminate myself, and I therefore claim a constitutional privilege and refuse to answer the question.

Mr. RICE. Here is what Mrs. May Ford and Tredick Ford say in part:

When the Sullivans sold the house on Bel Air Avenue to Major and Mrs. Rice in 1949 for \$10,000, the proceeds of the sale of the house was delivered in cash by Gladys Neu for safekeeping at the farm. As I understand it, Ethel told her the money would be kept this way, and she would call for it when necessary. When Ethel was in Perryman during the summer of 1950, we reminded her we were holding the money for her, and she asked us to continue keeping it for her. As yet, she has not called for the money, and we still retain it at the farm.

The CHAIRMAN. That is what I understood Mrs. Sullivan to affirm now.

Mr. RICE. That is dated October 18, 1950.

Mrs. SULLIVAN. It was there then; yes.

Mr. RICE. Now, I show you exhibits 17 and 18 in the record, exhibit 17 being a deposit receipt dated April 28, 1950, bearing the signature Jimmy Sullivan and Ethel Sullivan, and exhibit 18 being a listing of December 8, 1949, bearing the signature J. A. Sullivan and Ethel Sullivan, and let us see if we can handle these both and find out if you signed those?

(Mrs. Sullivan examines exhibits 17 and 18.)

Mr. RICE. Are those your signatures on there?

Mrs. SULLIVAN. I refuse to answer, Mr. Rice, at the present time. Shall I read this all over again?

The CHAIRMAN. No; it is assumed and taken for granted that the grounds for your refusal would be repeated.

Mr. RICE. Now, then, your brother in New York—his name is what?

Mrs. SULLIVAN. Carroll.

Mr. RICE. Have you ever sent him any substantial amount of money?

Mrs. SULLIVAN. I refuse to answer that question on the same grounds.

Mr. RICE. Now, how about this brother, Grayson, up in Philadelphia; have you ever sent him any substantial amounts of money?

Mrs. SULLIVAN. I will refuse to answer that on the same grounds.

Mr. RICE. Now, how about Mrs. Edith Ford; have you ever advanced to her or sent her a substantial amount of money?

Mrs. SULLIVAN. I refuse to answer that on the same grounds.

Mr. RICE. That is all.

The CHAIRMAN. All right. That will conclude the examination, thank you.

(Whereupon, at 9:40 p. m., June 21, 1951, the examination was concluded.)

INVESTIGATION OF ORGANIZED CRIME IN INTERSTATE COMMERCE

FRIDAY, JUNE 22, 1951

UNITED STATES SENATE,
SPECIAL COMMITTEE TO INVESTIGATE
ORGANIZED CRIME IN INTERSTATE COMMERCE,
Miami, Fla.

The committee met, pursuant to adjournment, at 10 a. m., Friday, June 22, 1951, in room 401, Dade County Courthouse, Miami, Fla., Senator Herbert R. O'Connor (chairman) presiding.

Present: Senator O'Connor.

Also present: Richard G. Moser, chief counsel; Downey Rice, associate counsel; George Martin, director of information; Fred V. Bruch, narcotics investigator; and T. S. Smith and Murray Jackson, investigators.

The CHAIRMAN. The hearing will please come to order. At the outset I would like to make the following statement:

One of the most challenging aspects of the crime problem is the infiltration of gangsters into the field of legitimate business. In different parts of the country we have developed the facts showing that the profits of hoodlums through organized crime have been invested in the legitimate enterprises which they have sought to control.

That is a most serious matter, as it would follow that mobsters, once having gained a foothold, would seek to corrupt public officials, poison the channels of private enterprise, and resort to many objectionable practices to achieve their ends. Particularly unfortunate would it be if racketeers could get control of newspaper publications. The United States is justly proud of the integrity of the free press of our country, and we want to keep the record of having the newspapers remain in the hands of responsible and trustworthy persons, who are unhampered in their publishing of the news impartially for the information of the general public.

It was with these facts in mind that the committee undertook to secure information regarding the investment of money here in Miami in a newspaper. Harry O. Voiler, Martin Accardo, and Mrs. Oreetta Carroll, formerly Mrs. Martin Accardo, were called to testify under oath. The testimony of Harry O. Voiler and of Mrs. Carroll, relating to definite facts of a written document of which both agree the other had knowledge, is absolutely contradictory. It is clear that both cannot be true, and one must be false, wilfully false.

Therefore, perjury has been committed in our opinion regarding this material question. The record of these proceedings will be submitted by us to the United States Attorney in this district for his

attention and in order that he may take such action as he deems justified.

MR. RICE. We would like to ask if two witnesses for whom subpoenas have been issued are present this morning. Raymond Craig; is he in the room?

(No response.)

Sam Mendelsohn; is he in the room?

(No response.)

It would be appreciated if anyone having information which might help the committee to locate these individuals would submit that information to the staff.

Mr. Angel Daniel; is he in the room?

FURTHER TESTIMONY OF ANGEL DANIEL, TAMPA, FLA.

The CHAIRMAN. You were sworn yesterday, were you not, Mr. Daniel?

MR. DANIEL. Yes, sir.

The CHAIRMAN. Your full name was given yesterday, but for the record will you again identify yourself, please?

MR. DANIEL. Angel Daniel.

The CHAIRMAN. Mr. Daniel, your residence is?

MR. DANIEL. Tampa.

The CHAIRMAN. And for how long, sir, have you lived there?

MR. DANIEL. At that address?

The CHAIRMAN. Well, in Tampa.

MR. DANIEL. In Tampa, I have been living there since 1900.

The CHAIRMAN. We are not able to hear you.

MR. DANIEL. 1900.

The CHAIRMAN. Could I ask you if during the period you are on the stand, you will keep your voice up and talk slowly and distinctly so that all may hear you?

MR. DANIEL. Yes, sir.

The CHAIRMAN. Thank you.

MR. RICE. Now, sir, I think you testified you were born in Key West?

MR. DANIEL. That's right.

MR. RICE. When was that?

MR. DANIEL. The 22d of August, 1888.

MR. RICE. What were your parents' names?

MR. DANIEL. Daniels.

MR. RICE. What was your father's name; what was your father's first name?

MR. DANIEL. Richard Daniel.

MR. RICE. What was your mother's name?

MR. DANIEL. Anna.

MR. RICE. Were you baptized down there, Mr. Daniel?

MR. DANIEL. I think so, yes.

MR. RICE. Do you know what church that was?

MR. DANIEL. The Catholic church.

MR. RICE. You don't remember that, do you?

MR. DANIEL. No, sir; I sure don't.

MR. RICE. Are you sure you weren't born in Cuba?

Mr. DANIEL. Yes, sir.

Mr. RICE. Are you sure about that?

Mr. DANIEL. Yes, sir. I have my birth certificate at home now. I didn't bring it, but I have it at home.

Mr. RICE. You are appearing here in response to a subpoena served upon you; is that right?

Mr. DANIEL. That's right.

Mr. RICE. At about Christmas week of 1950 the Senate committee was in Tampa for a hearing, at which time a subpoena was issued for you. Would you like to tell us where you were when that subpoena was served and where you have been since?

Mr. DANIEL. I was in Baltimore.

Mr. RICE. Where?

Mr. DANIEL. I was in Baltimore.

Mr. RICE. What were you doing in Baltimore?

Mr. DANIEL. My wife was sick.

Mr. RICE. Your wife was sick?

Mr. DANIEL. That's right.

Mr. RICE. Was your wife in Baltimore?

Mr. DANIEL. We were both there.

Mr. RICE. She was in a hospital there?

Mr. DANIEL. Well, she wasn't in the hospital at the time. She was under the care of Doctor Bryant from the Johns Hopkins Hospital. She was under his care.

Mr. RICE. Was that a mystery to the members of your family, that you were up there?

Mr. DANIEL. What did you say, a mystery?

Mr. RICE. A mystery. The marshal was unable to locate you at your house in Tampa at that time.

Mr. DANIEL. Well, that was the reason why they couldn't locate me, because I was in Baltimore.

Mr. RICE. You didn't tell anyone you were up there?

Mr. DANIEL. That I was up there—no, sir.

Mr. RICE. Were you staying at a hotel while you were in Baltimore?

Mr. DANIEL. I was staying at a hotel apartment.

Mr. RICE. Were you staying in a hotel?

Mr. DANIEL. At a hotel apartment, yes, sir.

Mr. RICE. At a hotel apartment?

Mr. DANIEL. Yes, sir.

Mr. RICE. Under what name?

Mr. DANIEL. My name and her name.

Mr. RICE. Were you registered there?

Mr. DANIEL. Yes.

Mr. RICE. What was the name of it?

Mr. DANIEL. Of the what?

Mr. RICE. Of the hotel apartment.

Mr. DANIEL. I was trying to think. Royal something. I really can't remember.

Mr. RICE. Was it the Mount Royal Apartments?

Mr. DANIEL. Yes, sir.

Mr. RICE. How long were you there?

Mr. DANIEL. I believe we stayed there almost a month.

Mr. RICE. Now, then, you stayed there a month?

Mr. DANIEL. I think most of a month.

Mr. RICE. Did you go back to Tampa?

Mr. DANIEL. No; I came back to Jacksonville.

Mr. RICE. You came back to Jacksonville. What did you do there?

Mr. DANIEL. I stayed there with her mother.

Mr. RICE. How long did you stay there?

Mr. DANIEL. Until Thursday; until the morning that I read the paper that the committee has a subpoena for me and then I came to Tampa Thursday.

Mr. RICE. After the committee had left?

Mr. DANIEL. I guess so; but I read in the paper where the committee had a subpoena for me, so then I left Thursday and reported to the marshal's office Friday at Tampa.

Mr. RICE. Since you have been served with a subpoena this time that was what, last week?

Mr. DANIEL. Tuesday morning.

Mr. RICE. Have you consulted with any city or county official at Tampa or any Hillsborough County or State official about your being subpoenaed?

Mr. DANIEL. Not that I remember, no, sir.

Mr. RICE. Well, it is only Tuesday morning.

Mr. DANIEL. Yes; well, I don't remember, no, sir.

Mr. RICE. You don't remember?

Mr. DANIEL. No, sir.

Mr. RICE. Would you remember if you did?

Mr. DANIEL. Well, yes.

Mr. RICE. Well, think hard. You consulted with anyone, a State official, or with whom have you talked about this thing since you were served?

Mr. DANIEL. (No response.)

Mr. RICE. Have you talked to a lawyer?

Mr. DANIEL. No, sir.

Mr. RICE. You haven't talked to a lawyer?

Mr. DANIEL. No, sir.

Mr. RICE. Have you talked to a sheriff?

Mr. DANIEL. No, sir.

Mr. RICE. Have you talked to a deputy sheriff?

Mr. DANIEL. No, sir.

Mr. RICE. Are you sure about that?

Mr. DANIEL. I am sure about that; yes, sir.

Mr. RICE. Have you talked to Canto?

Mr. DANIEL. No, sir.

Mr. RICE. Have you talked to K. C. Meyers?

Mr. DANIEL. No, sir.

Mr. RICE. With whom have you talked?

Mr. DANIEL. Well, maybe some of the boys there in Tampa. I have told them that I have a subpoena, but I don't remember exactly which ones I talked to.

Mr. RICE. Have you talked to some of the Syndicate boys?

Mr. DANIEL. What do you mean by "Syndicate boys"?

Mr. RICE. Don't you know?

Mr. DANIEL. No, sir.

Mr. RICE. Well, with whom have you talked?

Mr. DANIEL. Well, different people there; but I don't know what you mean by "Syndicate."

Mr. RICE. For instance, have you talked to Flaco?

Mr. DANIEL. I believe I did; yes, sir.

Mr. RICE. You have talked to Flaco?

Mr. DANIEL. I did.

Mr. RICE. What did he say?

Mr. DANIEL. He didn't have nothing to say. I told him I had a subpoena, so I am going to Miami.

Mr. RICE. Did he suggest that you tell the committee all that they wanted to know?

Mr. DANIEL. No, sir.

Mr. RICE. Did he have any opinion about that?

Mr. DANIEL. No, sir.

Mr. RICE. Are you going to tell the committee all you know?

Mr. DANIEL. All I know? What do you mean by "all I know"?

Mr. RICE. All you know about the truth.

Mr. DANIEL. Oh, yes, sir.

Mr. RICE. You are going to try to do that? All right, sir. When the subpoena called for you to bring with you some papers, some of your records and things like that, you brought a few of those in here yesterday. I noticed that you evidently overlooked bringing your Federal tax returns with you. Do you have copies of your Federal tax returns?

Mr. DANIEL. Yes, sir; except I think 1 year, I think '42.

Mr. RICE. I beg your pardon?

Mr. DANIEL. I think the year 1942, but I don't know whether the Government kept it or not. That I haven't got, because they——

Mr. RICE. How is it that you didn't bring them?

Mr. DANIEL. The returns?

Mr. RICE. Yes.

Mr. DANIEL. I don't know that you wanted them. I thought you just wanted the receipts. If I thought that you wanted the others I would have brought them.

Mr. RICE. I think the subpoena said Federal tax returns, but you have those?

Mr. DANIEL. Yes, sir.

Mr. RICE. You are in a position to forward those to this committee if we ask you to do that?

Mr. DANIEL. Yes, sir.

Mr. RICE. All right, sir; we will ask you to do that.

Mr. DANIEL. Yes, sir.

Mr. RICE. Now, then, you turned over some money order receipts which you indicate are payments from you to the internal revenue and some receipts for payments of taxes to the State here. I notice those are by money order; do you have a bank account?

Mr. DANIEL. Yes, sir.

Mr. RICE. Where is that?

Mr. DANIEL. International Bank.

Mr. RICE. International Bank?

Mr. DANIEL. Yes, sir.

Mr. RICE. Why it is you pay your taxes with money orders instead of drawing checks on your bank?

Mr. DANIEL. Why?

Mr. RICE. Yes.

Mr. DANIEL. I don't pay the income tax with a check.

Mr. RICE. Yes?

Mr. DANIEL. Well, I don't know any reason why I don't pay it, because I thought they always required you to bring the cash down.

Mr. RICE. Required what?

Mr. DANIEL. To bring the cash or certified check.

Mr. RICE. No; these are mailed into Jacksonville.

Mr. DANIEL. Oh, well, the man there at the office said, "Send me a money order, Angel." Mr. Johnson of the internal revenue at Tampa.

Mr. RICE. He told you to make a money order, not checks?

Mr. DANIEL. That's right; send a money order to Jacksonville.

Mr. RICE. In connection with your usual dealings did you deal with cash or check?

Mr. DANIEL. In what kind of dealings?

Mr. RICE. Any of your business dealings. You said yesterday you were a bolita peddler.

Mr. DANIEL. Well, checks.

Mr. RICE. Checks?

Mr. DANIEL. Yes, sir.

Mr. RICE. And cash, both?

Mr. DANIEL. Yes, sir.

Mr. RICE. Now, I see that you have brought in a statement of the Internal International Bank of Tampa, Fla., for the month of May 1951; evidently your account is in the name of Angel Daniel; why is that the only one you brought?

Mr. DANIEL. That is the only one I had.

Mr. RICE. Where are the canceled checks that came with that?

Mr. DANIEL. Well, I guess they are at the house. I just didn't bring them. I thought you said bring the statement from the bank.

Mr. RICE. You will be able to mail those in to the committee?

Mr. DANIEL. Yes, sir.

Mr. RICE. How about your other bank statements?

Mr. DANIEL. I haven't got any; just said that is the only one I have.

Mr. RICE. This is the only one?

Mr. DANIEL. Yes, sir.

Mr. RICE. I see you have a balance here of \$5,444.17; what is the usual balance that you maintain in this account?

Mr. DANIEL. Well, I don't know, Mr. Rice, about that. That all depends on the run of the year. I really couldn't tell you that.

Mr. RICE. You don't know what it is?

Mr. DANIEL. No, sir.

Mr. RICE. Do you have any other bank accounts?

Mr. DANIEL. No, sir.

Mr. RICE. Do you have any accounts in any other names?

Mr. DANIEL. No, sir.

Mr. RICE. Does your wife have a bank account?

Mr. DANIEL. Yes, sir.

Mr. RICE. Where is it located?

Mr. DANIEL. At the International Bank.

Mr. RICE. What is her name?

Mr. DANIEL. Sarah Daniel.

Mr. RICE. What is Sarah's maiden name?

(No response.)

Mr. RICE. What was her name before you married her?

Mr. DANIEL. Howell.

Mr. RICE. Howell?

Mr. DANIEL. Yes, sir.

Mr. RICE. Does she have a business of her own?

Mr. DANIEL. No, sir.

Mr. RICE. You support her?

Mr. DANIEL. Yes; housewife, yes, sir.

Mr. RICE. So it is your money that is in this Sarah Daniel's account?

Mr. DANIEL. Correct.

Mr. RICE. Do you have any safe deposit boxes?

Mr. DANIEL. No, sir.

Mr. RICE. Do you have a safe in your home or a strongbox?

Mr. DANIEL. No, sir.

Mr. RICE. Are you sure about that?

Mr. DANIEL. I am sure about that.

Mr. RICE. Where do you keep this cash that you pay your taxes with?

Mr. DANIEL. I keep it at home.

Mr. RICE. You keep it at home?

Mr. DANIEL. Yes, sir.

Mr. RICE. Just lying around loose?

Mr. DANIEL. Well, in the desk or maybe put it up somewhere.

Mr. RICE. One of your payments is for over \$1,000; do you keep over \$1,000 in your house, in your desk, in cash?

Mr. DANIEL. Yes, sir.

Mr. RICE. How much do you keep there?

Mr. DANIEL. You mean?

Mr. RICE. What is the most you have ever kept in your desk?

Mr. DANIEL. Well eight or ten thousand dollars.

Mr. RICE. \$8,000 or \$10,000?

Mr. DANIEL. That's right.

Mr. RICE. How long a period of time will you keep that there?

Mr. DANIEL. Well, that I couldn't tell you. I could keep it—

Mr. RICE. How much do you have there now, approximately?

Mr. DANIEL. I think I have about \$1,500.

Mr. RICE. And now, sir, I see that—let's go back here to 1940; have you been in any legitimate business since 1940?

Mr. DANIEL. No, sir.

Mr. RICE. I beg your pardon?

Mr. DANIEL. No, sir.

Mr. RICE. You have been in the bolita peddling business since 1940; is that right?

Mr. DANIEL. That's right.

Mr. RICE. How long before that were you in it?

Mr. DANIEL. You mean before '40?

Mr. RICE. Yes.

Mr. DANIEL. Yes; well, I had a place up there on Spring Street, a coffee shop there.

Mr. RICE. What was the name of that?

Mr. DANIEL. Spring Street, a coffee shop. Spring Street Cafe.

Mr. RICE. You closed that before 1940?

Mr. DANIEL. No, sir; after 1940.

Mr. RICE. I beg your pardon?

Mr. DANIEL. After 1940.

Mr. RICE. After 1940?

Mr. DANIEL. Yes, sir.

Mr. RICE. Since 1940 your main source of income has been from your bolita business; is that right?

Mr. DANIEL. Yes, sir.

Mr. RICE. Are you still in the business?

Mr. DANIEL. No, not now; no, sir.

Mr. RICE. When did you get out of the business?

Mr. DANIEL. '50.

Mr. RICE. I beg your pardon?

Mr. DANIEL. '50.

Mr. RICE. 1950?

Mr. DANIEL. That's right.

Mr. RICE. What date in 1950?

Mr. DANIEL. July; sometime I think last July.

Mr. RICE. Are you sure about that?

Mr. DANIEL. Yes, sir.

Mr. RICE. Remember you are under oath.

Mr. DANIEL. Yes, sir.

Mr. RICE. What have you been doing since July of 1950 insofar as gaining income?

Mr. DANIEL. Well, that is, an income—I made a little money playing the dogs in Petersburg. That is the only thing that I have made since then.

Mr. RICE. So that the only thing you have done to produce income since July of 1950 is playing the dogs at St. Petersburg?

Mr. DANIEL. That's right.

Mr. RICE. How much money have you made playing the dogs since July of 1950?

Mr. DANIEL. \$1,800. Well, I made a little bit more.

Mr. RICE. You want this committee to believe that you made \$1,800 playing the dogs at St. Petersburg?

Mr. DANIEL. Yes, sir.

Mr. RICE. That is your only source of income since July of 1950?

Mr. DANIEL. Yes, sir.

Mr. RICE. Do you have any stocks and bonds?

Mr. DANIEL. The Government bonds. That is, you know—

Mr. RICE. What is the value of your bond holdings?

Mr. DANIEL. Well, I really don't know, because I haven't checked on it just to see what the value is of it to date. I got them—I have got them home, but then that its all.

Mr. RICE. On your Federal income-tax return for 1950 what did you put down as your occupation?

Mr. DANIEL. Game of chance.

Mr. RICE. What is that?

Mr. DANIEL. Game of chance.

Mr. RICE. Game of chance?

Mr. DANIEL. Yes, sir.

Mr. RICE. Is that that St. Petersburg thing you were talking about?

Mr. DANIEL. No, that is the bolita peddling. I was in bolita peddling; I mean, in 1951 I collected for what I did in 1950; but I quit in 1950.

Mr. RICE. On your 1950 return for the whole year in which the last part of the year you didn't work, what did you put for the income you made in St. Petersburg.

Mr. DANIEL. I made it this year, not last year.

Mr. RICE. This year is 1951?

Mr. DANIEL. That's right; I will collect that in 1952.

Mr. RICE. What were you doing between July of 1950 and January of 1951 for income?

Mr. DANIEL. I haven't been doing anything.

Mr. RICE. You didn't have any income during that time?

Mr. DANIEL. No. I didn't fool with bolita at all. I quit in 1950.

Mr. RICE. Weren't you making deposits in your bank account during that time?

Mr. DANIEL. I don't remember that I have, no, sir.

Mr. RICE. I think the bank records will show that you did.

Mr. DANIEL. Maybe \$50.

Mr. RICE. Where did that come from?

Mr. DANIEL. \$50; maybe I cashed a check for somebody or something like that, or maybe I deposited \$50 or \$100 in the bank. I don't know what the records show.

Mr. RICE. Where did the money come from that you used to cash the checks?

Mr. DANIEL. From my pocket. I had it at home.

Mr. RICE. You had it at home?

Mr. DANIEL. I had it at home, yes.

Mr. RICE. Now, sir, do you own any real estate, any property?

Mr. DANIEL. My home.

Mr. RICE. Your home; and that is free and clear or do you have a mortgage against that?

Mr. DANIEL. That is clear.

Mr. RICE. I beg your pardon?

Mr. DANIEL. It is clear.

Mr. RICE. What is the value of that home?

Mr. DANIEL. Well, I couldn't say what the value of it is today; I couldn't tell you that.

Mr. RICE. You couldn't say?

Mr. DANIEL. Couldn't say what the price is.

Mr. RICE. What is your best guess?

Mr. DANIEL. \$10,000.

Mr. RICE. \$17,000; will you take \$17,000 for it?

Mr. DANIEL. Sure.

Mr. RICE. Did you say 10?

Mr. DANIEL. I said 10, I think. I think it would be worth \$10,000. You know what I mean, if a real-estate man appraised it.

Mr. RICE. You would sell it for \$10,000?

Mr. DANIEL. Yes, sir.

Mr. RICE. I see here that you had some transaction with Vincent Spoto; what was that about?

Mr. DANIEL. That was Tony.

Mr. RICE. I beg your pardon?

Mr. DANIEL. That was Tony. I didn't have any transaction with Spoto. I had one with Tony Italiano.

Mr. RICE. Red's brother?

Mr. DANIEL. Red's boy.

Mr. RICE. Red's boy?

Mr. DANIEL. That's right.

Mr. RICE. Is Red's boy named Vincent Spoto?

Mr. DANIEL. No. I think Vincent is president of the company.

Mr. RICE. Tell us about that transaction.

Mr. DANIEL. Well, he just said he had to have a little money and asked me—he thought maybe I could let him have some money. I said, well—

Mr. RICE. What did he want the money for?

Mr. DANIEL. He didn't tell me.

Mr. RICE. What business is Tony in?

Mr. DANIEL. He is the manager or, I think, he has something to do with the Anthony Distributing Co.

Mr. RICE. That is a beer-distributing company?

Mr. DANIEL. That's right.

Mr. RICE. How old is this boy, Tony?

Mr. DANIEL. That is a question I could not answer. I couldn't tell you how old he is.

Mr. RICE. Is he 18 or 20?

Mr. DANIEL. I think he is older than that; yes, sir.

Mr. RICE. He is the son of this Red Italiano that we have been looking for and can't find?

Mr. DANIEL. That's right.

Mr. RICE. This fellow that ran off to Italy?

Mr. DANIEL. I don't know about that.

Mr. RICE. Tell us about this transaction with Tony?

Mr. DANIEL. He just called me and said he wanted to see me, and said he had to have a little money. He said, "Could I have a little money?"

I said, "Let me see how much money I have." I saw how much I had, and, I said, "Well, I believe I can let you have it."

Mr. RICE. He needed this money, and did he tell you what he needed it for?

Mr. DANIEL. No, sir.

Mr. RICE. He didn't tell you what he wanted it for?

Mr. DANIEL. No, sir.

Mr. RICE. Did he offer to give you any collateral or security?

Mr. DANIEL. Only the note.

Mr. RICE. Only the note?

Mr. DANIEL. With 6-percent interest.

Mr. RICE. When was that?

Mr. DANIEL. In January of 1950, I think.

Mr. RICE. January when?

Mr. DANIEL. 1950.

Mr. RICE. Are you sure it wasn't 1951?

Mr. DANIEL. That was the second note. I loaned him the money in January 1950, for 90 days. When 90 days come up, he said is he allowed to have that note extended, and I said "All right; I will allow you to have the interest." I let him have the money in 1950, and he gave me the interest.

Mr. RICE. I am holding a note dated January 26, 1951, payable to Angel Daniel in the amount of \$12,000, signed by Vincent Spoto, president. It doesn't say "president" of what.

It states, "Should Mr. Daniel need this money, he may request and get 50 percent of the \$12,000 after 3 months from this date."

How does Spoto get into that?

Mr. DANIEL. I think he is president of the company.

Mr. RICE. What does he have to do with Tony's note?

Mr. DANIEL. I couldn't tell you that. He just borrowed it from me, and I hold him responsible for that, and I imagine that he is manager, or has probably—well, I wouldn't say. You know what I mean; what I mean, just what he would have in it other than I just let him have the money.

Mr. RICE. You can't think of any reason why you shouldn't get Tony's name on there?

Mr. DANIEL. No, sir.

Mr. RICE. Wouldn't it be proper procedure to have Spoto sign it and have Tony get it or endorse it?

Mr. DANIEL. I don't think so, because I believe that, just like the note says there, if I need the money I can go up there and pick up whatever the note says.

Mr. RICE. Who got the money?

Mr. DANIEL. Tony.

Mr. RICE. So, Spoto says he didn't get the money?

Mr. DANIEL. I looked to Tony to give it to me.

Mr. RICE. You don't have anything from him to prove that; do you?

Mr. DANIEL. Only that.

Mr. RICE. Are you sure that money didn't go to Red Italiano?

Mr. DANIEL. Yes, sir.

Mr. RICE. Why do you say that?

Mr. DANIEL. I said "No." You asked me was I sure. I don't know whether it went to Red Italiano or not.

Mr. RICE. About the time he was getting ready to go to Italy?

Mr. DANIEL. I couldn't tell you that.

Mr. RICE. Have you seen Red since he returned from Italy?

Mr. DANIEL. No, sir.

Mr. RICE. Are you sure?

Mr. DANIEL. I am sure.

Mr. RICE. Have you been in touch with him?

Mr. DANIEL. He called me up a couple of times.

Mr. RICE. Since he has been back, did he tell you he saw Luciano over there?

Mr. DANIEL. No, sir.

Mr. RICE. Wasn't he asked?

Mr. DANIEL. He asked me how I was getting along?

Mr. RICE. Did he ask you how business was?

Mr. DANIEL. No; nothing about business. He just asked me how I was getting along. I said, "I'm getting along all right."

Mr. RICE. Where was he when you talked to him?

Mr. DANIEL. I don't remember.

Mr. RICE. Was he in Tampa?

Mr. DANIEL. I don't remember. I don't believe he was.

Mr. RICE. Did he call you up long distance?

Mr. DANIEL. I don't know—yes, sir.

Mr. RICE. Was he in New Orleans?

Mr. DANIEL. I don't know.

Mr. RICE. Where was he?

Mr. DANIEL. I don't know.

Mr. RICE. He has been in Tampa; hasn't he?

Mr. DANIEL. I couldn't tell you that.

Mr. RICE. Has he called you from Tampa?

Mr. DANIEL. Well, I don't believe he has.

Mr. RICE. How long ago was that that you talked to him the last time?

Mr. DANIEL. Well, I don't know; I don't remember just exactly. Sometime last year.

Mr. RICE. Do you expect to be talking to him again?

Mr. DANIEL. What did you ask me?

Mr. RICE. Do you expect to be talking to him again?

Mr. DANIEL. Well, unless he calls me.

Mr. RICE. If he calls you again, we would appreciate it if you would let him know that the Senate committee is looking for him.

Mr. DANIEL. Yes, sir.

Mr. RICE. Now, tell us a little bit more about bolita peddling. As a matter of fact, you are a banker, what they call a banker?

Mr. DANIEL. That is what they call it.

Mr. RICE. How do you operate? Do you have peddlers who go around and pick up?

Mr. DANIEL. I had but not now.

Mr. RICE. Back in 1950, when you were doing it, tell us about that.

Mr. DANIEL. In 1950?

Mr. RICE. Yes. Where were you doing it?

Mr. DANIEL. Where?

Mr. RICE. Yes, sir. Tell us about that. Where were your headquarters located?

Mr. DANIEL. I had it in my home. They would call me there, and I had a boy there—that is, this boy here had a little business that I operated—I wasn't doing anything, you know, to amount to anything before then. This boy came up and he said he had a little business, most of it out of town. I don't know what the town was, maybe Manatee or something like that, and he asked me if he could handle some of my business. So, I said "Yes."

Mr. RICE. What was his name?

Mr. DANIEL. Robert Monue.

Mr. RICE. Who?

Mr. DANIEL. Monue, M-o-n-u-e.

Mr. RICE. Was your brother in this business?

Mr. DANIEL. How do you mean?

Mr. RICE. Did he work in your business with you?

Mr. DANIEL. No, sir.

Mr. RICE. Are you sure about that?

Mr. DANIEL. Yes, sir.

Mr. RICE. What business is he in?

Mr. DANIEL. Sir?

Mr. RICE. What business is he in?

Mr. DANIEL. Well, I think he has got a restaurant on Nebraska and Henderson.

Mr. RICE. Did he sell bolita in the restaurant?

Mr. DANIEL. I don't know whether he does or not.

Mr. RICE. It is possible; is it not?

Mr. DANIEL. (No response.)

Mr. RICE. Isn't it possible?

Mr. DANIEL. I couldn't tell you that.

Mr. RICE. What is the name of his restaurant?

Mr. DANIEL. De Valencia.

Mr. RICE. In connection with your business, do you have any partner, any people who have a percentage or interest with you?

Mr. DANIEL. No, sir.

Mr. RICE. Did you have?

Mr. DANIEL. No, sir.

Mr. RICE. You owned it all alone?

Mr. DANIEL. Yes, sir.

Mr. RICE. Were you a member of the syndicate?

Mr. DANIEL. I don't know what you mean by "syndicate."

Mr. RICE. Well, now, you have spoken about Red Italiano; do you know what business he was in? Primo Lazzara; do you know him?

Mr. DANIEL. That's right.

Mr. RICE. Do you know what business he is in?

Mr. DANIEL. That's right.

Mr. RICE. Gus Friscia?

Mr. DANIEL. That's right.

Mr. RICE. Do you know him?

Mr. DANIEL. That's right.

Mr. RICE. What business is he in; what business is Friscia in?

Mr. DANIEL. I couldn't tell you.

Mr. RICE. He is in the bolita business; isn't he?

Mr. DANIEL. I couldn't tell you that, because I don't know.

Mr. RICE. He is in business with you?

Mr. DANIEL. Certainly not.

Mr. RICE. He is a competitor?

Mr. DANIEL. I couldn't tell you that.

Mr. RICE. You mean you don't know who your competitors were?

Mr. DANIEL. I don't have any competitors.

Mr. RICE. When you were in business?

Mr. DANIEL. I don't know any competitors, because they bank just like I do.

Mr. RICE. Who were some of the other bankers over there?

Mr. DANIEL. I couldn't tell you that.

Mr. RICE. Are you sure about that?

Mr. DANIEL. Yes, sir.

Mr. RICE. Suppose I tell you.

Mr. DANIEL. All right.

Mr. RICE. How about Santo Trafficante, Jr., and Sr.?

Mr. DANIEL. What about it?

Mr. RICE. What?

Mr. DANIEL. What is it you are going to tell me? You said you would tell me.

Mr. RICE. What business are they in?

Mr. DANIEL. I couldn't tell you.

Mr. RICE. How about Flaco; what business is he in?

Mr. DANIEL. I couldn't tell you.

Mr. RICE. Where do you see him when you talk to him?

Mr. DANIEL. Well, maybe met him down the street or if I would go to West Tampa, and if I would see him there I would stop and talk to him.

Mr. RICE. How about Philip Piazzo; do you know him?

Mr. DANIEL. Yes, sir.

Mr. RICE. Ernie Nunes?

Mr. DANIEL. Yes, sir.

Mr. RICE. Longo Voyez? They are all in bolita; are they not?

Mr. DANIEL. I couldn't tell you that, Mr. Rice. I have never had any business dealings with any of those people.

Mr. RICE. How about Desideres; did you ever have any business dealings with Desideres?

Mr. DANIEL. No, sir.

Mr. RICE. Did you ever meet with that crowd and talk matters over?

Mr. DANIEL. No, sir.

Mr. RICE. Now, sir, when you were in the bolita business, bolita peddling business, there, how did they figure out the number in the last month that you were in business; was it on the dog races or throwing or what; was it on baseball?

Mr. DANIEL. How do you mean?

Mr. RICE. How did you determine the number each day, the winning number?

Mr. DANIEL. When—well, they go by the—take the paper, the bonds, and it is out of Cuba.

Mr. RICE. What paper?

Mr. DANIEL. They pick up—they pick it up off of a paper, the Tribune, maybe. They take it from the bonds.

Mr. RICE. By bonds do you mean the New York bond figures?

Mr. DANIEL. That's right.

Mr. RICE. Are they still doing that?

Mr. DANIEL. I couldn't tell you that.

Mr. RICE. When you were last in the business they were doing that?

Mr. DANIEL. No.

Mr. RICE. What were they doing when you were last in the business?

Mr. DANIEL. Throwing cards.

Mr. RICE. Throwing cards?

Mr. DANIEL. That's right.

Mr. RICE. Where did that take place?

Mr. DANIEL. At different places.

Mr. RICE. Well, for instance?

Mr. DANIEL. Just at different places.

Mr. RICE. Who threw the cards?

Mr. DANIEL. An old man.

Mr. RICE. What is his name?

Mr. DANIEL. Tito.

Mr. RICE. Did he work for you?

Mr. DANIEL. No, sir.

Mr. RICE. What is Tito's last name?

Mr. DANIEL. Just call him Tito. I don't know his last name.

Mr. RICE. Was it Tito Rubio?

Mr. DANIEL. I don't think so.

Mr. RICE. Tell us a little bit about it. We are interested in how you determine that number, where that card throwing takes place. We are afraid someone might be cheated or something if he wouldn't know how it was operated.

Mr. DANIEL. They throw the cards. You know what I mean, they call it the throwing of the cards.

Mr. RICE. Where did that take place?

Mr. DANIEL. Different places.

Mr. RICE. In Tampa?

Mr. DANIEL. Yes.

Mr. RICE. Did the spectators see the throwing?

Mr. DANIEL. Some of the people would go there and see the drawing.

Mr. RICE. Were you one of the ones that would see that?

Mr. DANIEL. That's right.

Mr. RICE. Who else would be there?

Mr. DANIEL. Several people.

Mr. RICE. Name one.

Mr. DANIEL. One? I couldn't tell you that, Mr. Rice.

Mr. RICE. You couldn't name anyone else who was there?

Mr. DANIEL. No.

Mr. RICE. Where did that take place?

Mr. DANIEL. Different places.

Mr. RICE. Name one place.

Mr. DANIEL. Say—

Mr. RICE. Don't say "say"; name one.

Mr. DANIEL. Well, that is just an expression, "say," you say that. Well, there is a place over there in West Tampa, 19 something Howard.

Mr. RICE. I am sorry; I didn't hear you.

Mr. DANIEL. West Tampa, 19 something Howard Avenue.

Mr. RICE. Whose place is that?

Mr. DANIEL. A fellow by the name of Fernandez.

Mr. RICE. 19 something West Howard?

Mr. DANIEL. That's right.

Mr. RICE. Fernandez? What is his first name?

Mr. DANIEL. I don't remember his first name.

Mr. RICE. Is it a private house?

Mr. DANIEL. No. It is just a little coffee shop.

Mr. RICE. Just a little coffee shop?

Mr. DANIEL. Yes, sir.

Mr. RICE. Were you there when they had the throwing?

Mr. DANIEL. Yes, sir.

Mr. RICE. Were there any other places; did they do it in your house?

Mr. DANIEL. No, sir.

Mr. RICE. Was Chico your man?

Mr. DANIEL. Tito. He was just a man that done the drawing. I was just there to see it.

Mr. RICE. Was that drawing good for the whole city of Tampa?

Mr. DANIEL. I guess so. I was doing it to protect my own bank.

Mr. RICE. To protect your own bank?

Mr. DANIEL. Yes.

Mr. RICE. He was your man then, wasn't he?

Mr. DANIEL. No, sir.

Mr. RICE. Whose man was he; what was he doing it for?

Mr. DANIEL. I don't know.

Mr. RICE. It was your bank; who was paying him?

Mr. DANIEL. I don't know.

Mr. RICE. It was your bank. Was that possibly Octavio Fernandez?

Mr. DANIEL. Well, maybe so; yes.

Mr. RICE. Who lives at 1910 Pine Street?

Mr. DANIEL. Maybe so.

Mr. RICE. It was his place where you had the throwing?

The CHAIRMAN. Mr. Daniel, don't say "maybe," but say it is or it is not.

Mr. DANIEL. Yes, sir.

Mr. RICE. Let me suggest some other places and see if you remember any other places where throwings took place; 1514 Main Street.

Mr. DANIEL. I don't remember.

Mr. RICE. At Parfinio's place?

Mr. DANIEL. I don't remember.

Mr. RICE. 1902 Howard; Toto Guarino. Do you know him?

Mr. DANIEL. No, sir.

Mr. RICE. You have never been there?

Mr. DANIEL. Where is the place?

Mr. RICE. 1902 Howard Avenue, in Toto Guarino's place.

Mr. DANIEL. Howard Avenue?

Mr. RICE. Yes.

Mr. DANIEL. Well, I don't remember it by that name, no, sir.

Mr. RICE. You said you had some peddlers working for you. Do you remember the names of any of those?

Mr. DANIEL. Peddlers?

Mr. RICE. Peddlers; men who sold the bolita.

Mr. DANIEL. I didn't have any peddlers.

Mr. RICE. You were a banker, were you not?

Mr. DANIEL. That's right.

Mr. RICE. Who sold the tickets?

Mr. DANIEL. This man brought the stuff to me.

Mr. RICE. A man brought the stuff to you?

Mr. DANIEL. I didn't have anything to do with that; he was the pick-up man.

Mr. RICE. He was the pick-up man?

Mr. DANIEL. He was the man who brought the business to me. I didn't have anything to do with the pick-up.

Mr. RICE. What do you mean?

Mr. DANIEL. The business that he had, that he wanted me to bank.

Mr. RICE. Who was he?

Mr. DANIEL. Well, that is Robert Monue, you know, that I gave you while ago.

Mr. RICE. He was doing all the business and you were doing all the banking?

Mr. DANIEL. Well, he had more than he could take care of. I think he went broke or something. All he had to do was to bring me the stuff and then I would bank it.

Mr. RICE. You would bank it?

Mr. DANIEL. That is all. Then I would bank it.

Mr. RICE. Did he pay you anything?

Mr. DANIEL. No, sir.

Mr. RICE. Did he lay-off to you?

Mr. DANIEL. Yes, sir, I guess he had some of the money. You know what I mean.

Mr. RICE. I have a list of bankers or peddlers who said that they worked for Angel Daniel:

Frank Lito	Arthur Robert	Contrera Jonunco
Nick Brice	Arturo Rogriguez	Lamino Adolfo
Lawrence Lorenzo	Bebe Sivo (Silvo)	Garcia Peres
Esteven Dominguez	Leroy Jenkins	Tony Cagino
Bill Bailey	Fanio Toledo	
Albert Wingate	Jose Ajaxes	

How do you account for that list being made up?

Mr. DANIEL. How do you mean, how do I account for that list being made up?

Mr. RICE. Do you want to say that you know nothing about those?

Mr. DANIEL. They didn't work for me.

Mr. RICE. Do you know any of them?

Mr. DANIEL. Yes, sir.

Mr. RICE. You know all of them, don't you?

Mr. DANIEL. No, sir.

Mr. RICE. Most of them?

Mr. DANIEL. Most of the names?

Mr. RICE. Most of the names you know?

Mr. DANIEL. That's right.

Mr. RICE. Did they ever work for you?

Mr. DANIEL. No, sir.

Mr. RICE. Did they turn in to you?

Mr. DANIEL. No.

Mr. RICE. Did they turn in to the man who worked for you?

Mr. DANIEL. They didn't turn in to me.

Mr. RICE. Possibly they turned in to the man who worked for you?

Mr. DANIEL. Not to me.

Mr. RICE. Did you have any pick-up man or turn-over man that worked for you?

Mr. DANIEL. No.

Mr. RICE. Do you consider that what you were doing was an illegal business?

Mr. DANIEL. Probably not.

Mr. RICE. Probably illegal?

Mr. DANIEL. Possibly banking bolita and selling it; yes, sir.

Mr. RICE. How do you account for the fact that law enforcement didn't catch up with you? You were never arrested, were you?

Mr. DANIEL. No, sir.

Mr. RICE. You have never been arrested?

Mr. DANIEL. (No response.)

Mr. RICE. I didn't hear your answer.

Mr. DANIEL. Well, that I don't remember, Mr. Rice, whether I have been arrested or not.

Mr. RICE. Well, think about it a little bit.

Mr. DANIEL. Maybe I got a ticket or got picked up, or picked up a ticket here or there.

Mr. RICE. A bolita ticket?

Mr. DANIEL. No, sir.

Mr. RICE. All right. Tell us about when you were arrested. When was that?

Mr. DANIEL. Oh, I guess maybe 4 or 5 months ago.

Mr. RICE. Four or five months ago?

Mr. DANIEL. Yes. They gave me a ticket, and I went to the police station.

Mr. RICE. Is that the only time you have ever been arrested?

Mr. DANIEL. That I can remember, yes.

Mr. RICE. That you can what?

Mr. DANIEL. That I can remember.

Mr. RICE. Have you ever been fingerprinted?

Mr. DANIEL. No, sir.

Mr. RICE. Have you ever paid a fine?

Mr. DANIEL. You mean a fine for——

Mr. RICE. Fined. Paid money to a judge for violation of the law?

Mr. DANIEL. Probably I have, yes.

Mr. RICE. Probably. What was that for?

Mr. DANIEL. I forget; for bolita, I believe.

Mr. RICE. For bolita; was that some years ago?

Mr. DANIEL. That's right.

Mr. RICE. You haven't been arrested for that for so long that you can't remember any more; is that right?

Mr. DANIEL. That's right.

Mr. RICE. Did you ever spend any time in jail?

Mr. DANIEL. Yes, sir.

Mr. RICE. How many nights?

Mr. DANIEL. I believe one night.

Mr. RICE. That was a long time ago, wasn't it?

Mr. DANIEL. That's right.

Mr. RICE. You haven't been arrested since?

Mr. DANIEL. No, sir.

Mr. RICE. How do you account for that? You have been in the business all of that time; you said you were in business for the last 10 years?

Mr. DANIEL. Well, I just haven't been arrested. I just haven't. You know what I mean.

Mr. RICE. How do you arrange your protection, to keep from being arrested; whom do you pay?

Mr. DANIEL. To keep from what?

Mr. RICE. To keep from being arrested.

Mr. DANIEL. How do I arrange protection?

Mr. RICE. Yes.

Mr. DANIEL. I don't have any protection.

Mr. RICE. You do not have any protection?

Mr. DANIEL. No, sir.

Mr. RICE. Do I take it that they don't have any law enforcement there in Tampa?

Mr. DANIEL. Yes, sir; they certainly do.

Mr. RICE. How do you manage to escape that?

Mr. DANIEL. I just manage to duck them; that's all.

Mr. RICE. All these other bankers manage to duck it too, don't they?

Mr. DANIEL. I couldn't say that, Mr. Rice; no, sir.

Mr. RICE. Do you know Sheriff Culbreath?

Mr. DANIEL. I do.

Mr. RICE. Have you visited with him and talked with him?

Mr. DANIEL. No more than say hello or maybe in the jail there sometime, maybe trying to help a fellow out or something like that is locked up. Maybe something like that, cut his bond or something like that.

Mr. RICE. Have you ever met Sheriff Culbreath outside of his office, in the jail or courthouse?

Mr. DANIEL. Just in the courthouse there or maybe outside the jail.

Mr. RICE. Did you ever go to his home?

Mr. DANIEL. No, sir.

Mr. RICE. Did he ever come to your home?

Mr. DANIEL. No, sir.

Mr. RICE. Are you sure about that?

Mr. DANIEL. I don't know. I don't even know where the man lives.

Mr. RICE. When you were down seeing the sheriff why was it necessary for him to see about getting a bolita peddler out?

Mr. DANIEL. Well, this boy they said they arrested him and got some \$350 out of his pocket. He said would I go down and talk to the sheriff, and see if I could get him his money back, that's all.

Mr. RICE. Did you help to get his money back?

Mr. DANIEL. No. I would have to wait until his case was over.

Mr. RICE. Did you go to the sheriff about that?

Mr. DANIEL. Yes.

Mr. RICE. Why did the man come to you?

Mr. DANIEL. I guess he thought I could go down and talk to the sheriff.

Mr. RICE. Why did he think you had any influence with the sheriff?

Mr. DANIEL. That I couldn't say.

Mr. RICE. As a matter of fact, he was one of the men who worked for you?

Mr. DANIEL. No, sir.

Mr. RICE. Are you sure about that?

Mr. DANIEL. Yes, sir.

Mr. RICE. Who was the man that had the \$350?

Mr. DANIEL. A man by the name of Frank Sanchez.

Mr. RICE. Sanchez came to you for what reason?

Mr. DANIEL. Sanchez, he didn't; somebody else came to me and said, "Do you think you could go down there and talk to that sheriff and maybe get this boy's money back."

Mr. RICE. And you went down and talked to the sheriff?

Mr. DANIEL. To get the money back; that's right.

Mr. RICE. Why do you think he came to you instead of going to a lawyer?

Mr. DANIEL. I don't at all know about that, Mr. Rice, because the lawyer said, "You will have to wait until after the case is over"—probably they done that.

Mr. RICE. You don't practice any law?

Mr. DANIEL. No, sir; but I help anybody that gets into trouble, if I get a chance to help them.

Mr. RICE. You go down and see the sheriff?

Mr. DANIEL. Not the sheriff necessarily; anybody else.

Mr. RICE. Frank Sanchez, 2133 Walnut Street, apartment A; is that the man?

Mr. DANIEL. I couldn't tell you. I don't know where he lives.

Mr. RICE. I think that is where he is peddling now. He is a street peddler; he lives there; isn't that right; he is still doing it; isn't that right?

Mr. DANIEL. I couldn't tell you about that, sir. I don't know.

Mr. RICE. You say you never paid Sheriff Culbreath any money?

Mr. DANIEL. No, sir.

Mr. RICE. Are you sure about that?

Mr. DANIEL. Yes, sir.

Mr. RICE. Directly or indirectly?

Mr. DANIEL. That's right.

Mr. RICE. Have you been given any money by anyone to give to him?

Mr. DANIEL. I haven't; no, sir.

Mr. RICE. You have not?

Mr. DANIEL. No, sir.

Mr. RICE. How about in his campaign; did you support him in his campaign?

Mr. DANIEL. Well, how do you mean, did I support him?

Mr. RICE. Well, you know what support means, do you not?

Mr. DANIEL. Yes.

Mr. RICE. Have you supported him in this campaign?

Mr. DANIEL. Well, I didn't fool with politics the last time.

Mr. RICE. Have you ever made a campaign contribution?

Mr. DANIEL. No, sir.

Mr. RICE. To anyone?

Mr. DANIEL. No, sir.

Mr. RICE. Indirectly?

Mr. DANIEL. No, sir.

Mr. RICE. By giving it to someone else?

Mr. DANIEL. No, sir.

Mr. RICE. I take it that you didn't support Sheriff Culbreath?

Mr. DANIEL. I didn't say I didn't. I didn't take any active part in it.

Mr. RICE. Did you or didn't you?

Mr. DANIEL. I didn't take any active part.

Mr. RICE. You didn't take any active part in anyone else's campaign?

Mr. DANIEL. No, sir.

Mr. RICE. How about Chief Beasley? Do you know him?

Mr. DANIEL. Yes, sir.

Mr. RICE. Have you ever visited with him?

Mr. DANIEL. No, sir.

Mr. RICE. Have you ever gone in his house?

Mr. DANIEL. No, sir.

Mr. RICE. Have you ever given him any money?

Mr. DANIEL. No, sir.

Mr. RICE. How about Danny Alvarez; do you know him?

Mr. DANIEL. Yes.

Mr. RICE. Of the police department?

Mr. DANIEL. Yes, sir.

Mr. RICE. Have you talked with him?

Mr. DANIEL. Well, I have been down there at the station and talked to him just about maybe different things, the situation there and politics, maybe, something like that.

Mr. RICE. You went down to the station and talked to Danny Alvarez about politics?

Mr. DANIEL. Yes, sir.

Mr. RICE. I thought you didn't engage in politics?

Mr. DANIEL. Well, I just talked to him there but didn't engage in politics. We would go down there, when, say maybe an election was coming up for mayor, and we would talk to the policemen there.

Mr. RICE. You would go down and talk to the policemen about an election coming up for mayor?

Mr. DANIEL. Yes.

Mr. RICE. Did you ever given him any money or support for the mayor?

Mr. DANIEL. No, sir.

Mr. RICE. For any reason; did you ever give him any money for any reason?

Mr. DANIEL. No, sir.

Mr. RICE. Wasn't Alvarez formerly in the bolita business?

Mr. DANIEL. That I couldn't tell you, Mr. Rice.

Mr. RICE. How about Constable Hackney; did you visit him?

Mr. DANIEL. No, sir.

Mr. RICE. Do you know him?

Mr. DANIEL. Yes, sir; that is, I know him when I see him, something like that.

Mr. RICE. Did you ever talk with him?

Mr. DANIEL. No, sir.

Mr. RICE. How about K. C. Meyers, a deputy in the sheriff's office?

Mr. DANIEL. I know who he is.

Mr. RICE. Did you talk with him?

Mr. DANIEL. No, sir.

Mr. RICE. Did you ever pay him any money?

Mr. DANIEL. No, sir.

Mr. RICE. How about Canto; did you pay him any money?

Mr. DANIEL. No, sir.

Mr. RICE. Did you know Jimmy Velasco?

Mr. DANIEL. Yes, sir.

Mr. RICE. What happened to him?

Mr. DANIEL. He got killed.

Mr. RICE. What for?

Mr. DANIEL. I couldn't tell you.

Mr. RICE. You have no information on that?

Mr. DANIEL. No, sir.

Mr. RICE. He was murdered, was he not?

Mr. DANIEL. Yes, sir.

Mr. RICE. And he was in the rackets, wasn't he?

Mr. DANIEL. Well, I think he was.

Mr. RICE. How about Jimmy Lumia, did you know him?

Mr. DANIEL. Yes, sir.

Mr. RICE. Did you ever have any business transactions with him?

Mr. DANIEL. No, sir.

Mr. RICE. What happened to him?

Mr. DANIEL. He got killed.

Mr. RICE. He was murdered last year, wasn't he?

Mr. DANIEL. Yes, sir.

Mr. RICE. Last summer?

Mr. DANIEL. Yes, sir.

Mr. RICE. Have you ever heard about the Mafia?

Mr. DANIEL. Only what I have heard about it in the papers.

Mr. RICE. What it is; what did they say?

Mr. DANIEL. Just said the Mafia.

Mr. RICE. What was it?

Mr. DANIEL. It just said the Mafia gang, that's all.

Mr. RICE. The Mafia gang?

Mr. DANIEL. That's right; just what I read in the paper.

Mr. RICE. What did it mean?

Mr. DANIEL. I couldn't tell you that; just what I read in the paper; that's all I know about it.

Mr. RICE. You never discussed the Mafia with anyone?

Mr. DANIEL. No, sir.

Mr. RICE. Did you ever hear it said that the Mafia was responsible for the murder of Velasco and Lumia?

Mr. DANIEL. No, sir.

Mr. RICE. What do you feel is the reason for their murder?

Mr. DANIEL. I couldn't tell you that, Mr. Rice.

Mr. RICE. You can't?

Mr. DANIEL. I really can't; no, sir.

Mr. RICE. All right, sir. I think we will excuse you for the moment. However, you will remain under subpoena.

Mr. DANIEL. Thank you.

TESTIMONY OF L. C. BOGGS, MAYOR, HOLLYWOOD, FLA.

The CHAIRMAN. Mr. Boggs, do you solemnly swear before Almighty God that the testimony you will give will be the truth, the whole truth, and nothing but the truth?

Mr. BOGGS. I do.

Mr. MOSER. Mr. Boggs, you were served with a subpoena duces tecum?

Mr. BOGGS. I was served a subpoena duces tecum this morning about half-past 12; otherwise I would have been here.

Mr. MOSER. Did you bring the records requested in the subpoena?

Mr. BOGGS. As far as I could; yes, sir.

Mr. MOSER. What do they consist of?

Mr. BOGGS. Well, income taxes—income-tax returns.

Mr. MOSER. Do you have them here?

Mr. BOGGS. Yes, sir.

Mr. MOSER. Will you turn them over to a member of our staff, Mr. Boggs?

Mr. BOGGS. Yes, sir. Now, they are not complete, inasmuch as you people have asked for them, because I didn't have time to get it all up.

Mr. MOSER. All right, sir; we will call you later after we have had an opportunity to examine the records. You are excused for the moment.

Mr. BOGGS. All right, sir.

(Witness temporarily excused.)

The CHAIRMAN. Will the hearing please come to order.

Mr. MOSER. Yesterday we had a dope addict up here who testified. We stipulated that under no circumstances was her picture to be taken. Television was to be off. The radio could be on. Her name was not to be revealed and it was understood that anybody present who knew the name would not reveal it. We are now going to have a series of drug addicts who will testify and the stipulation will apply.

Let me make it clear that no pictures of any kind are to be taken, no television of the addicts, including the back, will be on, and no one will reveal the names of the witnesses under any circumstances.

The CHAIRMAN. I think it only fair to say that we have received 100-percent cooperation from the television, the newsreel, and the press and the radio—in fact, everyone. We think they have been most cooperative in this regard.

Mr. MOSER. Will you please lean over and state your name to the reporter?

The CHAIRMAN. Do you before Almighty God solemnly swear that the testimony you will give will be the truth, the whole truth, and nothing but the truth?

The WITNESS. I do.

(NOTE.—The witness gave his name to the reporter.)

TESTIMONY OF DRUG ADDICT "B"

Mr. MOSER. How old are you?

The WITNESS. Twenty-three.

Mr. MOSER. Where did you go to school?

The WITNESS. Philadelphia.

Mr. MOSER. You come from Philadelphia?

The WITNESS. Yes.

Mr. MOSER. Have you ever smoked marijuana?

The WITNESS. Yes, sir.

Mr. MOSER. How old were you when you started using it?

The WITNESS. Well, it was 4 years ago in Miami.

Mr. MOSER. So you were about 19 years old?

The WITNESS. Nineteen.

Mr. MOSER. Were other friends of yours smoking at the same time?

The WITNESS. Yes, sir.

Mr. MOSER. Was it quite common among your circle of friends?

The WITNESS. Well, these people that I was associated with at the time, with them it was quite common. That is how I came in contact with it.

Mr. MOSER. Through your friends?

The WITNESS. Yes, sir.

Mr. MOSER. Have you ever used heroin?

The WITNESS. Well, after using marijuana, through marijuana, I came in contact with heroin.

Mr. MOSER. Is that because the people who used heroin were also hanging around with people who used marijuana?

The WITNESS. Well, because marijuana is an article that is a drug and the type of people who hide from the law use marijuana and use heroin because they hide from the law also and because they are both hiding from the law, you come in contact with them.

Mr. MOSER. So that anyone who starts using marijuana is pretty likely to wind up using heroin?

The WITNESS. They come into contact with the heroin users. I feel that marijuana—it isn't the marijuana but through the use of marijuana, the experience that I had with it, and the different things that happen, I don't feel that you get any yen or bad feeling when you don't have it, like you do with the drug heroin.

Mr. MOSER. I want you to limit your answers just to the questions I ask you.

The WITNESS. Yes, sir.

Mr. MOSER. Will you tell me the sources from which you obtained the heroin? You don't have to identify anybody. Don't give anybody's name, but tell me the type of people that you got it from. Did you get it from peddlers?

The WITNESS. Peddlers.

Mr. MOSER. Street peddlers?

The WITNESS. Yes, sir. I would go to different neighborhoods where they frequent and I would find the so-called connections there.

Mr. MOSER. In what cities did you buy heroin from peddlers?

The WITNESS. In Philadelphia.

Mr. MOSER. Does it come from Philadelphia or does it come from some other place?

The WITNESS. I imagine the heroin I used came from New York.

Mr. MOSER. Did anybody tell you where you could find it?

The WITNESS. I imagine everybody that is in the eastern part of the country knows that it comes from New York.

Mr. MOSER. How much does it cost in New York?

The WITNESS. It ranges around \$3 a capsule.

Mr. MOSER. \$3 a capsule?

The WITNESS. Yes, sir.

Mr. MOSER. You have been arrested for narcotics, a narcotics charge?

The WITNESS. Yes, sir.

Mr. MOSER. Where were you sent to prison?

The WITNESS. I was put on probation.

Mr. MOSER. You were put on probation?

The WITNESS. Yes, sir.

Mr. MOSER. And then what?

The WITNESS. Then later my family felt that I was using drugs, and they reported me to the probation officer and I was sent to a house of correction.

Mr. MOSER. Where was that?

The WITNESS. Holmesburg.

Mr. MOSER. Pennsylvania?

The WITNESS. Pennsylvania.

Mr. MOSER. Did you receive any treatment there?

The WITNESS. No treatment at all. It was just do your time there and you are away from drugs; as far as treatments, I didn't receive any. It was "cold turkey."

Mr. MOSER. The phrase "cold turkey" means that you were taken off of drugs, cold?

The WITNESS. Cold turkey; it is called cold turkey because you get goose pimples when you are not using the narcotics; you get cold flashes. That is where the term "cold turkey" comes from.

Mr. MOSER. You were thrown in with other inmates there; were you?

The WITNESS. Yes.

Mr. MOSER. What was the effect of that?

The WITNESS. Well, I don't feel that it did me any good, by me being thrown in with these different drug addicts, who, at the time, were older than I was. At the time I only knew maybe three or four fellows that used it at my age, and through being in prison, you meet all these other fellows in different connections, and they taught me all the other things that I shouldn't have known. Even mentioning it here would be tough on people that might come in contact with narcotics, and the more you know about it the worse it is, the more you know about it. Actually, you want to know the score when you are using it.

Mr. MOSER. The word "score" means knowing where to buy it?

The WITNESS. Where to buy it and get it cheaper.

Mr. MOSER. How much did the drugs cost you when you were at the height of your habit?

The WITNESS. I spent as much as—I bought like \$15 worth at a time, and it would last me maybe a day or two. \$30 to \$50 a day at the highest.

Mr. MOSER. Where did you get the money to buy it?

The WITNESS. I was an automobile salesman at the time.

Mr. MOSER. And you made enough money to buy it?

The WITNESS. Anywhere from \$200 to 300 a week, but I would spend all the money I had on narcotics. It took everything I had.

Mr. MOSER. Everything you could get you would spend on it?

The WITNESS. Yes.

Mr. MOSER. Do you want to say anything about the life of a narcotic user?

The WITNESS. It is not a good life. You never have enough narcotics, and you keep building up a tolerance; you use more and more. You can't make it go down. Your want for it gets stronger and stronger, and you know it is no good, and you have the trouble of buying; you have trouble using it, and you have trouble getting the money, and you have trouble with kicking the habit.

Mr. MOSER. "Kicking the habit" means getting rid of it?

The WITNESS. Getting rid of it. It is trouble all around. It is not a good life at all.

Mr. MOSER. Did you know when you started using heroin that you might get hooked?

The WITNESS. No. The first time I had it, I was fooled. I didn't know it was heroin. The people who were using it told me that it was something else, and I tried it and, evidently, I liked it, and I got "hooked" after using it, playing with it, you know, maybe once or twice a month, and then as time went on I did it Monday and then Monday and Tuesday, and then Monday, Tuesday, and Wednesday, and then 4 days in a row, until finally I was using it every day. Finally I felt bad when I woke up. I knew I needed it. My system did not feel like it was satisfied.

Mr. MOSER. Do you feel that if other people knew about it, knew the life of an addict, they wouldn't use it?

The WITNESS. I feel that I don't want to live the life of an addict. I hate it. I hate it while I use it. I hate it while I see it, now that I am not an addict; but I feel like I have a yen occasionally to take one, like a cheater, what you would call just one, but you can't cheat because it is one and then one more and before you know it you are using it every day. I say you have to leave it alone altogether before you can stop using it.

Mr. MOSER. Thank you very much.

(Witness excused.)

TESTIMONY OF DRUG ADDICT "C"

(Name and address of this witness privately given to the reporter by the witness.)

The CHAIRMAN. You have given your name and address to the official reporter, have you not?

The WITNESS. Yes, sir.

The CHAIRMAN. Before Almighty God do you solemnly swear that the testimony you will give will be the truth, the whole truth, and nothing but the truth?

The WITNESS. I do.

Mr. MOSER. What is your age?

The WITNESS. I will be—I am 32.

Mr. MOSER. Are you married?

The WITNESS. I am married?

Mr. MOSER. When did you first start using drugs?

The WITNESS. I would say 1942 is when I became addicted.

Mr. MOSER. So that you have been addicted for about 9 years?

The WITNESS. About, I would say, 3½ or 4 years ago I came down here, and I had a successful cure.

Mr. MOSER. A successful cure?

The WITNESS. Yes, sir. I was off for almost a year.

Mr. MOSER. Then you went back on again?

The WITNESS. Yes, sir.

Mr. MOSER. It was not permanently successful?

The WITNESS. Well—

Mr. MOSER. You don't have to answer that. Did you ever use marijuana?

The WITNESS. Yes, I did.

Mr. MOSER. You were using marijuana before heroin?

The WITNESS. Yes, sir.

Mr. MOSER. Were many people you knew using it?

The WITNESS. I think most everybody I knew.

Mr. MOSER. Where did you live?

The WITNESS. In New York.

Mr. MOSER. In New York City?

The WITNESS. Yes.

Mr. MOSER. How old were you when you started using marijuana?

The WITNESS. Well, probably 17.

Mr. MOSER. Were you in school?

The WITNESS. Yes; I was in high school.

Mr. MOSER. And many of the children in high school were using it?

The WITNESS. No.

Mr. MOSER. A lot of people you knew were using it, though not necessarily in school?

The WITNESS. Yes, sir. A lot of people that I frequented with.

Mr. MOSER. You have used morphine, have you?

The WITNESS. Yes, sir; I have.

Mr. MOSER. How did you happen to start using it?

The WITNESS. Well, I was given morphine at first because I was ill in an institution, a hospital, Public Health Service hospital.

Mr. MOSER. Then later you switched to heroin?

The WITNESS. That is correct.

Mr. MOSER. How much heroin did you use when—before I ask you that, you have been in prison, have you not?

The WITNESS. I have.

Mr. MOSER. Would you mind stating where you first went to prison?

The WITNESS. First to Leavenworth, then to Lexington.

Mr. MOSER. Did you have any contact with drugs at Leavenworth?

The WITNESS. None whatsoever.

Mr. MOSER. Did you learn then anything about the drugs at Leavenworth?

The WITNESS. Yes, I did; everything.

Mr. MOSER. Everything?

The WITNESS. Well, everything; that is talked about all day.

Mr. MOSER. They talk about it a great deal in prison?

The WITNESS. That is all they talk about, outside of women, I guess.

Mr. MOSER. You have been on and off the habit for 9 years?

The WITNESS. I would say that is approximately right.

Mr. MOSER. And where were you living mostly, in New York City?

The WITNESS. Yes.

Mr. MOSER. Was heroin hard to buy in New York City?

The WITNESS. No.

Mr. MOSER. Where did you buy it; from what kind of a source, street peddlers?

The WITNESS. From street peddlers; yes, sir.

Mr. MOSER. Did you ever go to a place to buy it or is it always bought from a street peddler?

The WITNESS. Either a street peddler or you make some arrangements for delivery. It is not difficult.

Mr. MOSER. When did you last buy them in New York?

The WITNESS. I think I came here I would say about the beginning of last month.

Mr. MOSER. And it was still easy to get in New York?

The WITNESS. Yes.

Mr. MOSER. How do you find the peddler when you want one?

The WITNESS. Well, I should say that you graduate into him and then afterward you don't have any difficulty in finding him. He finds you.

Mr. MOSER. You became a regular customer?

The WITNESS. Well, I mean you are in it; and that's it.

Mr. MOSER. Has your wife been addicted?

The WITNESS. Yes.

Mr. MOSER. Did both you become addicted at the same time?

The WITNESS. No. I was off, as I say, for a year, and then she was addicted for about 8 or 9 months previous to that.

Mr. MOSER. How much did you and your wife together pay for heroin when you got to the height of your habit; what is the worst that you got to?

The WITNESS. From about \$150 to \$180 per day.

Mr. MOSER. For the two of you?

The WITNESS. Yes.

The CHAIRMAN. Were you in debt for the purchase of it? I don't suppose you were able to pay cash at all times. What is the largest amount for which you have gotten in debt?

The WITNESS. I haven't figured it out correctly, but I imagine close to \$30,000.

Mr. MOSER. Is that indebtedness mostly to peddlers that you couldn't pay but who let you have it on credit?

The WITNESS. Whom you could only pay so much, and they took what they could get.

Mr. MOSER. I think you told me that sometimes that they got up to \$200 per day?

The WITNESS. Up to \$180. It averaged, in plain words, about an ounce a day; sometimes a little more.

Mr. MOSER. Did you take heroin by in-shots?

The WITNESS. Yes.

Mr. MOSER. Not vein shots?

The WITNESS. That is correct.

Mr. MOSER. In-shots?

The WITNESS. This past time.

Mr. MOSER. Have you ever done vein shots?

The WITNESS. Yes; I have.

The CHAIRMAN. That is all main line?

The WITNESS. Yes; that's correct.

Mr. MOSER. A main line direct into the vein?

The WITNESS. That's correct.

Mr. MOSER. What has been the general effect of this upon your body?

The WITNESS. I am dehydrated; in plain words, it has done everything but do me any good.

Mr. Moser. Have you any scars?

The WITNESS. You mean veins? Is that what you have in mind?

Mr. Moser. Yes.

The WITNESS. I have had no veins for 5 years; I mean not superficial.

Mr. Moser. Skin scars?

The WITNESS. Yes; not from the heroin particularly but from whatever is mixed in with it, probably the quinine.

Mr. Moser. You have scars from contaminated needles and drugs?

The WITNESS. No.

Mr. Moser. Contaminated drugs?

The WITNESS. Definitely the drugs.

Mr. Moser. That causes an infection of some kind?

The WITNESS. Correct. You get either an abscess or a burn. It burns out the tissue.

Mr. Moser. Have you ever taken any cures? You said you had been cured once, Mr. ———?

The WITNESS. Yes.

Mr. Moser. How many times have you taken cures?

The WITNESS. I have tried, I would say, about 15 different times.

Mr. Moser. Fifteen different times you have taken cures?

The WITNESS. Yes; about eight of them in sanitoriums.

Mr. Moser. In private sanitariums?

The WITNESS. Yes; and five or six myself, which is impossible.

Mr. Moser. You have tried to take them voluntarily?

The WITNESS. That is correct.

Mr. Moser. Did you try to stay off the drug?

The WITNESS. Nobody wants to be on the drug after 6 months.

Mr. Moser. You are always struggling to get off?

The WITNESS. Well, I mean, it is like a fish on the hook.

The CHAIRMAN. But then it mostly is too late?

The WITNESS. I mean that's it.

Mr. Moser. Tell us about the private hospitalization you had for a cure?

The WITNESS. Well, the private hospitalization, quite naturally, is not similar to free hospitalization; it is expensive. I think my first week's bills for medication was \$208 at a local sanitorium.

Mr. Moser. For yourself alone or for yourself and your wife?

The WITNESS. The two of us.

Mr. Moser. \$208 for the two of you?

The WITNESS. Yes, sir.

Mr. Moser. What is the total cost of hospitalization per week?

The WITNESS. I would say so far in the past 6 weeks it has cost me about \$1,500 or \$1,600, and I probably owe about \$700, \$800, \$900, \$1,000, \$1,100.

Mr. Moser. What does the treatment consist of, just a reduction process?

The WITNESS. Yes; it is a reduction process.

Mr. Moser. But you spent approximately \$400 a day; is that the cost?

The WITNESS. No. I spent from \$150 to \$180.

Mr. Moser. I mean for the treatment?

The WITNESS. No; per day.

Mr. MOSER. Per week I mean.

The WITNESS. Well, I would say it averaged around \$350.

Mr. MOSER. How long has it been since you last had a shot?

The WITNESS. I haven't had a shot, I would say, in about 7 or 8 days, and I haven't had an opiate in about over a month, that is, anything that is derived from opium.

Mr. MOSER. That is because you have been down here for treatment; is that correct?

The WITNESS. That's correct, sir.

Mr. MOSER. I think that is all we have. You are excused. Thank you.

(Witness excused.)

TESTIMONY OF DRUG PEDDLER "A"

(NOTE.—Name and address of this witness privately given by the witness to the official court reporter.)

The CHAIRMAN. Do you before Almighty God solemnly swear that the testimony you will give will be the truth, the whole truth, and nothing but the truth?

The WITNESS. I do, sir.

Mr. MOSER. I understand that you are now under arrest for the sale of marijuana; is that correct?

The WITNESS. I copped a plea for information.

The CHAIRMAN. Speak louder, please.

The WITNESS. I copped a plea for information.

Mr. MOSER. But you were arrested for possession of marijuana?

The WITNESS. Yes, sir.

Mr. MOSER. Will you tell us something about how much marijuana is being used in this area?

The WITNESS. Well, from my idea, I know that there is very little consumption so far as the colored section is concerned. I would have no way of knowing how much has come in from other sources because we have no way to socialize with the whites, and we couldn't know about them.

Mr. MOSER. You merely know about the colored, and they don't use a great deal?

The WITNESS. That's right, not too much in the colored section, because they have no direct contact to get it.

Mr. MOSER. Where does it come from?

The WITNESS. Well, usually through banana boats.

Mr. MOSER. Banana boats?

The WITNESS. Yes, sir.

Mr. MOSER. Where do they come from?

The WITNESS. Well, South America mostly, the Latin-American countries.

Mr. MOSER. Does any of it come in on airplanes?

The WITNESS. Well, it has been reported that they are sources, and I couldn't confirm it and say it is exactly but I do hear it comes from airplanes.

Mr. MOSER. Does any of the marijuana come from up north?

The WITNESS. Well, I couldn't say that there was.

Mr. MOSER. I believe you told one of our investigators that you knew sources from which it came up north. We are not going to ask you any of the sources, but we would like to know the places from which it comes.

The WITNESS. Well, by being in contact with a few marijuana users, you hear that it comes from different sources; you know how a grapevine is; it comes from different sources.

Mr. MOSER. Where do you hear that it comes from?

The WITNESS. The major part of it comes in by the banana boats.

Mr. MOSER. Do you think any of it comes from the north?

The WITNESS. Well, I don't think so. I think they get enough, I assume. I imagine they get enough from sources here.

Mr. MOSER. All right. Thank you.

(Witness excused.)

TESTIMONY OF DRUG PEDDLER "B"

(NOTE.—This witness gave her name to the court reporter.)

The CHAIRMAN. Before Almighty God do you solemnly swear that the testimony you will give will be the truth, the whole truth and nothing but the truth?

The WITNESS. Yes, sir.

Mr. MOSER. The rear camera may be on during this testimony, but not the others. You are on probation, are you not?

The WITNESS. Yes.

Mr. MOSER. What was the charge?

The WITNESS. Marijuana and morphine.

Mr. MOSER. Sale and possession of marijuana and morphine?

The WITNESS. Yes.

Mr. MOSER. Will you keep your voice up, so that all may hear. Are you an addict yourself?

The WITNESS. No, sir.

Mr. MOSER. The charge against you is only for the possession and sale?

The WITNESS. Yes, sir.

Mr. MOSER. Do you know where the drugs come from?

The WITNESS. Well, I do some of them. I do know where some comes from.

Mr. MOSER. You do know where some come from? Miss ———, do you know about morphine drugs?

The WITNESS. At that time I knew where it comes from.

Mr. MOSER. At that time?

The WITNESS. Yes.

Mr. MOSER. You mean at the time you were arrested?

The WITNESS. At the time I had it.

Mr. MOSER. How long ago was that?

The WITNESS. Well, around 6 or 7 months.

Mr. MOSER. Where did it come from at that time? Six months ago.

The WITNESS. Habana.

Mr. MOSER. How was it brought in?

The WITNESS. By plane.

Mr. MOSER. Do you know who brought it in? I don't mean to identify names, but what type of person brought it in; was it brought in by pilots, for example?

The WITNESS. Yes, sir.

Mr. MOSER. Is it brought in by American pilots?

The WITNESS. No, it was Cuban.

Mr. MOSER. Did they bring it in regularly?

The WITNESS. Well, I can't say that. At that time he told me he had friendly planes but he usually brings it.

The CHAIRMAN. To the best of your knowledge was it brought in in large quantities?

The WITNESS. I believe so.

The CHAIRMAN. Do you know anything about importation of marijuana?

The WITNESS. Yes, I know where it comes from, too.

The CHAIRMAN. Where?

The WITNESS. South America, and especially San Martin.

The CHAIRMAN. Does that come by airplane?

The WITNESS. Boats.

The CHAIRMAN. What kind of boats?

The WITNESS. Banana boats.

The CHAIRMAN. Is it brought in by the crews?

The WITNESS. Yes. I can't tell you that; you don't know. I know it comes, but I don't know if they are crewmen or passengers or, you know—

The CHAIRMAN. But people on the boats bring it in?

The WITNESS. Yes.

Mr. MOSER. May I ask you another question? At the time when it is brought in here and it is obtained by somebody like yourself, how do you sell it; how do you find customers for it?

The WITNESS. In my special—

Mr. MOSER. In your own case.

The WITNESS. In my own case the fellow that brought it in, I keep it for him, and if I could find somebody to sell it to he said I could keep the money; so I know a lot of people at that time that like it, and they come over and talk about it, so I gave it to them. At that time I didn't take it.

Mr. MOSER. A little later?

The WITNESS. Yes.

The CHAIRMAN. How did you know the people that you say were using it?

The WITNESS. Well, they were introduced to me. At first I didn't know they used it, you know, but later on I get to know they use it.

The CHAIRMAN. How did others learn that you had some and that they could get it from you?

The WITNESS. Maybe they know because someone told them.

Mr. MOSER. How did you know to whom it was safe to sell it?

The WITNESS. Well, I don't know if it was safe or not. In fact, it wasn't safe.

Mr. MOSER. You sold some to a Federal agent, did you not?

The WITNESS. No, I didn't.

Mr. MOSER. Anyway, what we are trying to find out is how you found out who the purchasers would be, who the potential customers were.

The WITNESS. I only had one customer and he came over and asked me, and he said that he knew that I had some and he needed some pretty badly, so I gave it to him.

Mr. MOSER. You don't know what he did with it?

The WITNESS. You know when a person uses drugs. You can know by only looking at them.

Mr. MOSER. You knew he was a user?

The WITNESS. Yes.

Mr. MOSER. You didn't sell any to any of the others?

The WITNESS. No.

Mr. MOSER. Just that one?

The WITNESS. Yes.

The CHAIRMAN. How many persons altogether that you knew had been using it, and you said you learned of the fact that they were using it—of these people how many altogether knew that you had it?

The WITNESS. But it was only one person at that time that knew I had it.

The CHAIRMAN. Didn't you say before that you had known of a number who liked it and had been using it?

The WITNESS. Well, everyone knows, you know, around here. You know that lots of boys go around using it, but not that I know them personally. I can tell if you do or this one does or that one does.

The CHAIRMAN. I just meant as to the number.

The WITNESS. Oh, well, there is quite a few.

The CHAIRMAN. Thank you very much. That is all. You are excused.

(Witness excused.)

TESTIMONY OF MARIJUANA SMOKER "A"

Mr. MOSER. For this next witness the camera may be on in the back, but none of the others.

The CHAIRMAN. Will you raise your right hand and be sworn? Do you, before Almighty God, solemnly swear that the testimony you will give will be the truth, the whole truth, and nothing but the truth?

The WITNESS. I do.

(NOTE.—This witness gave his name and address privately to the court reporter.)

The CHAIRMAN. I might state at the outset that the statement by Mr. A. Allen Lane, a member of the bar of New York City, has been filed, and Mr. Lane has cooperated with the committee's request that it be incorporated in the record. We will be very glad to do that.

Mr. LANE. Thank you.

Mr. MOSER. What is your age?

The WITNESS. Twenty-one.

Mr. MOSER. Do you use marijuana?

The WITNESS. Yes, sir.

Mr. MOSER. When did you start?

The WITNESS. About a year ago.

Mr. MOSER. Where were you when you started using it?

The WITNESS. Miami.

Mr. MOSER. You never used it in New York?

The WITNESS. Yes; New York.

Mr. MOSER. You did use it in New York before you came here?

The WITNESS. No.

Mr. MOSER. Where did you go to school?

The WITNESS. University of Miami.

Mr. MOSER. Did you use it there?

The WITNESS. No.

Mr. MOSER. You did not use it there?

The WITNESS. Not at the university.

Mr. MOSER. You did not use it on the premises of the university?

The WITNESS. No.

Mr. MOSER. Not on the campus?

The WITNESS. No.

Mr. MOSER. You did use it while you were attending the university, however?

The WITNESS. Yes, sir.

Mr. MOSER. Were other students using it?

The WITNESS. Not to my knowledge.

Mr. MOSER. None at all.

The WITNESS. Not to my knowledge, while I was going there.

Mr. MOSER. Were any of your friends using it?

The WITNESS. Yes.

Mr. MOSER. A group of you lived together?

The WITNESS. Yes.

Mr. MOSER. How many of you were there?

The WITNESS. There were three of us living together.

Mr. MOSER. Two or three of you living together.

The WITNESS. Yes.

Mr. MOSER. And you were all about the same age?

The WITNESS. Yes.

Mr. MOSER. Approximately 20 years old?

The WITNESS. The others were a little older.

Mr. MOSER. And they were not students of the university?

The WITNESS. They were graduates.

Mr. MOSER. They were alumni, resident graduates?

The WITNESS. Yes.

Mr. MOSER. Was the use of marijuana quite prevalent where you were?

The WITNESS. No.

Mr. MOSER. Just a few of you?

The WITNESS. Yes.

Mr. MOSER. Where did you get the marijuana that you used?

The WITNESS. Well, the only operator—

The CHAIRMAN. Please keep your voice up.

The WITNESS. The only marijuana that I used was growing in my back yard.

Mr. MOSER. You were using marijuana that grew in your back yard?

The WITNESS. Yes.

Mr. MOSER. You didn't buy any from any other sources?

The WITNESS. No.

Mr. MOSER. Who grew it?

The WITNESS. My roommate.

Mr. MOSER. Where did he get the seed?

The WITNESS. I don't know.

Mr. MOSER. But he planted it?

The WITNESS. Yes.

Mr. MOSER. Did you help him?

The WITNESS. No.

Mr. MOSER. What happened when it grew up?

The WITNESS. We would take it into the house and put it in the oven for about 6 minutes.

Mr. MOSER. Curing it?

The WITNESS. Yes; and then we would smoke it.

Mr. MOSER. When it was dry you would smoke the leaves?

The WITNESS. Yes.

Mr. MOSER. How much did you grow, a lot of it?

The WITNESS. Well, there were 150 plants.

Mr. MOSER. 150 plants.

The WITNESS. Yes.

Mr. MOSER. I believe you told our investigators that you had also used it when you were in New York; is that correct?

The WITNESS. That's right.

Mr. MOSER. Were you a student at school?

The WITNESS. Yes; New York University.

Mr. MOSER. When was that?

The WITNESS. From September until February of this year.

Mr. MOSER. Was it used very much there?

The WITNESS. No; not at all, as far as I was concerned.

Mr. MOSER. Nobody else in school used it?

The WITNESS. Nobody that I knew.

Mr. MOSER. None of your friends used it either?

The WITNESS. No.

Mr. MOSER. You just used it all by yourself?

The WITNESS. Well, no. None of my friends from the university—New York University—used it.

Mr. MOSER. Friends on the outside did; is that correct?

The WITNESS. Yes.

Mr. MOSER. How many; were there many?

The WITNESS. No.

Mr. MOSER. Just a handful?

The WITNESS. Yes.

Mr. MOSER. That is all.

Mr. LANE. May we be excused?

The CHAIRMAN. Yes, sir, and we are obliged to you for your fine cooperation.

(Witness excused.)

TESTIMONY OF MARIJUANA SMOKER "B"

The CHAIRMAN. Will you give your name and address to the reporter?

(NOTE.—Witness gave his name and address to the reporter.)

The CHAIRMAN. Before Almighty God, do you swear that the testimony you will give will be the truth, the whole truth, and nothing but the truth?

The WITNESS. I do.

Mr. MOSER. What is your age?

The WITNESS. Twenty-five.

Mr. MOSER. Where did you go to school?

The WITNESS. University of Miami.

Mr. MOSER. How long did you go there?

The WITNESS. Three years.

Mr. MOSER. Did you graduate?

The WITNESS. Yes, I did.

Mr. MOSER. While you were there did you use marijuana?

The WITNESS. Yes, sir.

Mr. MOSER. Did you use it very much?

The WITNESS. Well, what do you mean by "very much"?

Mr. MOSER. How often?

The WITNESS. Oh, occasionally. I would say several days a week; sometimes I would use it for a period of a month or so?

Mr. MOSER. Several times a week for perhaps a month?

The WITNESS. Yes, sir.

Mr. MOSER. And in what form, cigarettes?

The WITNESS. Yes.

Mr. MOSER. Reefers, as you call them?

The WITNESS. That is what they were known as in some circles.

Mr. MOSER. Were other people that you knew using them?

The WITNESS. Yes.

Mr. MOSER. In the same house where you lived?

The WITNESS. Yes, they were.

Mr. MOSER. How many people were living in the house?

The WITNESS. Are you speaking of recently or——

Mr. MOSER. Well, let us take the year 1950.

The WITNESS. 1950?

Mr. MOSER. Were you at the university then?

The WITNESS. Yes, I was.

Mr. MOSER. And you were living where; living in a private home?

The WITNESS. In 1950 I was living in an apartment with two other boys.

Mr. MOSER. Two others.

The WITNESS. Yes.

Mr. MOSER. Did they use it?

The WITNESS. Yes.

Mr. MOSER. In about the same amount you did?

The WITNESS. Yes.

Mr. MOSER. Were they students at the university?

The WITNESS. Yes.

Mr. MOSER. Were other students as far as you know using it?

The WITNESS. Yes.

Mr. MOSER. Quite a few students—quite a few other students?

The WITNESS. Yes; well, in my acquaintance I knew roughly 15 to 20 who were.

Mr. MOSER. They were students at the university; were they?

The WITNESS. Yes.

Mr. MOSER. Did you have any friends on the outside who used it?

The WITNESS. A few, yes.

Mr. MOSER. How many?

The WITNESS. On the outside of the university—outside of university students?

Mr. Moser. Yes.

The Witness. Maybe a dozen people.

Mr. Moser. How did you happen to start using it?

The Witness. Well, one of the fellows I roomed with at first was a musician and he offered to let me try it once, and since I am a writer I was rather curious to find out its effect, so I did try it.

Mr. Moser. So that you got a start through association with people that were using it?

The Witness. That's right.

Mr. Moser. In 1951 where did you live?

The Witness. I lived in Miami.

Mr. Moser. In a house?

The Witness. Yes.

Mr. Moser. With other people?

The Witness. Yes.

Mr. Moser. A group of boys?

The Witness. Yes.

Mr. Moser. Were they students at the university?

The Witness. Yes.

Mr. Moser. All of them?

The Witness. Yes.

Mr. Moser. How old were they?

The Witness. Their ages ranged from 22 to 25.

Mr. Moser. Did any of them use marijuana besides yourself?

The Witness. Yes, they did.

Mr. Moser. A lot of them?

The Witness. All of them.

Mr. Moser. They all did?

The Witness. Yes.

Mr. Moser. Did any of your friends come there and smoke marijuana while they were there?

The Witness. Well, people would drop in from time to time and use it.

Mr. Moser. Quite a few?

The Witness. Well, there were a lot of people dropping in.

Mr. Moser. Do you sometimes have parties there?

The Witness. Occasionally, yes.

Mr. Moser. At those parties did these people smoke marijuana?

The Witness. These weren't organized parties. Sometimes a group of six or seven people would be over to the house, and then we would use it.

Mr. Moser. You would all use it?

The Witness. Yes.

Mr. Moser. Did anybody that came to your house ever use heroin?

The Witness. Yes.

Mr. Moser. Did any of boys living with you use it?

The Witness. That lived with us; no.

Mr. Moser. They didn't?

The Witness. No; but some of the visitors did.

Mr. Moser. Did they use it very much?

The Witness. I don't know. I was kind of adverse to the use of it; and once they know that you don't approve of the use of it, they will try to keep from using it.

Mr. MOSER. They don't approve?

The WITNESS. On one occasion I was offered it, urged to try it.

Mr. MOSER. They urged you to try it?

The WITNESS. Yes.

Mr. MOSER. They did?

The WITNESS. Yes. But if you are strongly opposed to it, then they won't bother you again.

Mr. MOSER. At the start where did you get the marijuana that you used at that time?

The WITNESS. From this musician friend of mine.

Mr. MOSER. Did he give them to you or sell them to you?

The WITNESS. Gave them to me.

Mr. MOSER. After that where did you get them?

The WITNESS. Mostly from him. He would come into the house with them and later on we would start buying it in bulk.

Mr. MOSER. From him?

The WITNESS. No; not particularly from him; he was the first one that I knew and eventually my range of friends who used it got larger and eventually you could get it from different sources.

Mr. MOSER. What kind of sources? I am not asking you to identify them, but what type of sources were they?

The WITNESS. I was never really acquainted with the initial sources; but some of them were people living in the colored section of town. There was at least one that I know of on Miami Beach and one that I know of in Miami, one or two.

Mr. MOSER. Where on the beach? You mean on the street?

The WITNESS. No; living in one of the hotels over there.

The CHAIRMAN. I would like to ask you just a question or two about the parties which you say you had, which were attended by about half a dozen or so.

The WITNESS. Yes.

The CHAIRMAN. Did they use it at the same time?

The WITNESS. Well, if there were a half dozen people there, they might light two or three cigarettes and pass them around.

The CHAIRMAN. And they used each one in turn?

The WITNESS. Yes.

The CHAIRMAN. With regard to the sources of their supply, would you have any information as to whether they had secured it from different sources, whether they had been previously supplied from different sources?

The WITNESS. Well, most of our sources, of the people I knew, were restricted to maybe three or four sources.

Mr. MOSER. Were those sources in places like apartments where you would go and get it?

The WITNESS. That's right.

Mr. MOSER. You would have to know where to go and get it?

The WITNESS. That's right. I myself didn't know but I knew people who did, and they would get it for me. They are very reluctant to give you telephone numbers or addresses. The people who did it, the people who did know, would get it.

Mr. MOSER. They were peddlers or friends?

The WITNESS. Friends; yes.

Mr. MOSER. You never went with them?

The WITNESS. On several occasions I went along just for the ride.

Mr. MOSER. So you knew roughly where some of them were?

The WITNESS. Yes.

Mr. MOSER. You said there were some places in Greater Miami, too?

The WITNESS. Yes.

Mr. MOSER. More than one?

The WITNESS. I knew of at least two definitely.

Mr. MOSER. Were they ever bought on the street?

The WITNESS. On the street; yes.

Mr. MOSER. You can buy reefers on the street?

The WITNESS. You can arrange to meet one on the street, and he would pick you up in his car or you could pick him up in your car, and the transaction would take place in the automobile.

Mr. MOSER. Were you involved in this business of growing marijuana in the back yard?

The WITNESS. I was slightly involved; yes.

Mr. MOSER. How did that happen?

The WITNESS. Well, we had accumulated some seeds and at this time there was no marijuana at all available. It was very hard to get, and we decided to experiment with the seeds and see if they could be grown.

Mr. MOSER. How long ago was that?

The WITNESS. This was about—let's see—it started about 5 months ago.

Mr. MOSER. So you did grow it in the back yard?

The WITNESS. Yes.

Mr. MOSER. And you did that because it had become hard to get; the peddlers had disappeared; is that right?

The WITNESS. Either they had disappeared or were not getting it themselves, or they refused to sell. I don't know what the reason was. We didn't go into that.

Mr. MOSER. Did the university know about any of this, or suspected it?

The WITNESS. I don't believe so. I don't think the university did.

Mr. MOSER. I was wondering if the university was responsible for making it hot for the peddlers?

The WITNESS. I don't think so.

Mr. MOSER. You don't think they knew it?

The WITNESS. If they did, I never heard such rumors.

Mr. MOSER. I believe you said that quite a few other students at the university whom you knew used it?

The WITNESS. Yes; quite a few.

Mr. MOSER. Would you say that it is a very prevalent practice at the university.

The WITNESS. It is difficult to say. I heard rumors that there were a great number of people. I don't know who is using it, and I can't say for sure. I just knew the people that I know.

Mr. MOSER. I believe that is all that I want to ask you.

The CHAIRMAN. Thank you very much. You are excused.

(Witness excused.)

FURTHER TESTIMONY OF HARRY O. VOILER, MIAMI BEACH, FLA.

The CHAIRMAN. Is Mr. Voiler here?

A VOICE FROM THE AUDIENCE. He is available outside. I will get him.

The CHAIRMAN. Mr. Voiler, you have requested an opportunity to appear again before the committee, have you?

Mr. VOILER. Yes, sir.

The CHAIRMAN. You may be seated.

Mr. VOILER. May I address the Chair, please?

The CHAIRMAN. Will you just be seated? Have you a further statement to make in regard to the transaction that you were questioned about yesterday?

Mr. VOILER. I think I have a statement to make to the Chair relative to what transpired here yesterday. May I continue please?

The CHAIRMAN. Just a minute. The announcement was made at the outset of the day's session as to what we planned to do in respect to the matter, and we, therefore, without reopening if necessary, would like to hear from you as to what phase of the matter you desire to speak to us about. Do you wish to submit a written statement first?

Mr. VOILER. No. I think I would like to express my thoughts to the Chair. My thoughts are in conjunction with what transpired here, the evidence as it was presented to this committee.

The CHAIRMAN. Now, is the statement that you have before you—

Mr. VOILER. Would you care to read this, yourself?

The CHAIRMAN. Yes.

(Statement handed to chairman.)

The CHAIRMAN. The committee is ready to hear you.

Mr. VOILER. May I read my statement to the committee, please?

The CHAIRMAN. Yes. You would prefer to do it that way rather than have the statement included in the record in toto?

Mr. VOILER. No; I would prefer to speak, myself.

The CHAIRMAN. Well, I would like to give you the opportunity; but you have to read the notes in order to—

Mr. VOILER. I would like to know—

The CHAIRMAN. You couldn't give it without referring to the notes?

Mr. VOILER. I wrote it for that purpose, so that we would make no mistake.

The CHAIRMAN. You, of course, understand, Mr. Voiler, that your oath which was given yesterday still applies today?

Mr. VOILER. Definitely, definitely.

Mr. Chairman, I first met Oreeta Yelverton in the latter part of December 1949. She had been married to Leo Martin prior to that time, but had been divorced but immediately afterward married Mr. Shortridge. That was prior to the time when she divorced Shortridge and later married Carroll. Carroll would be her fifth husband, according to what she told me. Baise and Baxa were her two first husbands. I never saw Rita or Carroll or Shortridge or Martin except on four occasions. The first time was in the Morning Mail plant in December of 1949. She was with Leo Martin and they talked with me for a while at the plant. They came in and asked me to show them

the place, which I did. I explained everything to them and they left after about an hour.

I next saw her 2 days later by herself at the plant. She came in to tell me that this was the most fascinating business she had ever seen. I took her around. She chatted with Mrs. Voiler, and then she asked me if I would be interested in selling the business. I told her that if the right people came along I would sell 50 percent. She says she had a friend in New York who would be highly interested. I gave her the details, and presently we talked a while longer and she went home.

Martin's name was never mentioned once, was never once mentioned, during this conversation. The next day she called on the phone and asked me to have dinner with her and the friend. I said I would be delighted. She came in with Mr. Martin. She came with Mr. Martin, and they picked us up. We went to a restaurant on Coral Way in Miami. We stayed there until 11:30 p. m. There was no discussion about the plant. At 11:30 she drove us home. I thanked them and they drove away.

As we were going upstairs, Mrs. Voiler remarked that we should reciprocate. We invited them to dinner for the following week. She came to see me the next day, however, and she said that she was confident that she would get her New York friend to purchase the 50-percent interest, but she never did.

I defy this lady to show a promissory note I ever gave to Accardo or Martin. I defy her to show when Martin or Accardo ever gave me as much as 5 cents. I defy her to state any place where she gave me money, or Martin or Accardo ever gave me money. If I ever gave a note and there was a consideration for the note, I can assure this committee I have never been sued for collection. Nor have I ever paid any money in payment therefor, nor have I ever given a note to Martin or Accardo.

Gentlemen, why didn't one of you ask where the money was turned over to me—what was the denomination of the bills—who was present when the money was turned over to me, and when. It was very apparent that this committee knew in advance the testimony of Oreeta Yelverton Carroll. I know you gentlemen are fine investigators and good lawyers. Why didn't you ask who was present when the money was given? Where it was given, and in what denominations, or were you afraid she couldn't substantiate her charges and that would be in my favor?

I have been given a thorough cross-examination by you gentlemen as has everyone else who has appeared here. Why did you not cross-examine her concerning these money payments? Why was her word taken without any cross-examination? In answer to a question asked by this committee to Mrs. Yelverton as to whether or not Leo Martin ever gave the Oliver Publishing Corp. \$125,000, her answer was: "I know he invested close to \$100,000." What did she mean by "close to"?

Did she see me receive any money from him? Was anyone present when he was supposed to have given me money and she knew about it? She said the money was all given in cash, but gives me no dates, times, or places, so that I can protect myself. Nor does she state

in what denomination the cash was given. In fact, this committee did not see fit, as a courtesy to me, if nothing else, to ask Mrs. Oretta Yelverton Carroll specific questions concerning this supposed transfer of money, but accepted it at face value, the bare statements made by her, uncorroborated though they were.

Mrs. Yelverton said that when she approached Martin Accardo for the money for the children's trust fund, he had given Voiler this \$100,000. Remember, gentlemen, this was fully a half year after she had divorced Martin Accardo and had married Shortridge. She testified her divorce was either in 1948 or early in 1949.

Gentlemen, if there was any consideration for the note why didn't they bring suit for the collection of it? As late as April 2, 1951, the assets of the Oliver Publishing Corp. were still available and were, in fact, sold then.

Mrs. Yelverton can't deny that she knows what courts are for, because she is now suing in court, I understand, for the return of the property held by Martin, or Accardo as you know him.

If there was any consideration for the note, that she would have the same lawyer bring suit on the note, and go against the assets of the Oliver Publishing Corp. Why did she not ask for the capital stock of the Oliver Publishing Corp. for collateral as called for in the note? The answer is very apparent. No money was ever given to me by her or anybody else.

Gentlemen, to further show you how vicious a witness you have produced, she stated that Mr. Martin was always around the plant. We are willing to submit a list of all the employees of the Morning Mail, who can easily be interrogated, and they will testify that Leo Martin did not visit the Morning Mail a half dozen times from the time of construction of the plant, September in 1949, up to the present day. They can also testify that Mrs. Oretta Yelverton has not visited the plant more than six times herself.

In conclusion, gentlemen, I most emphatically say again, and do so with the full knowledge that false swearing is a felony, that Leo Martin never gave me 5 cents more or less toward the operation of the plant or the purchase of the plant. These three linotype machines were purchased and the down payment made long before I ever met Mrs. Carroll, that I never discussed policy with Leo Martin or Mrs. Carroll, and I defy her to show where Leo Martin ever gave or loaned me 1 penny.

Gentlemen, this hearsay evidence is one of the fallacies of your committee. You have no right under the guise of lawmakers to allow a man's character and word to be assassinated by hearsay evidence. No court of law allows it, and there must be a good reason for not allowing it. I hope you will be more sincere with me than you have been in the past. I further hope that you will recall Mrs. Carroll, and cross-examine her like any other witness as to the facts I have brought out. Only then can you justify this infamous action you have taken.

The explanation I have given you concerning the note in my previous testimony is the absolute truth.

I want to thank this Chair for giving me this opportunity of presenting this statement in the record.

The CHAIRMAN. Mr. Voiler, before Mr. Moser questions you with respect to several phases of this matter, may I say that Mrs. Carroll is

present and will be afforded to speak, just as you have suggested, just as you have been afforded the chance.

Mr. VOILER. Can I ask one more favor? I forgot to bring my grip with me, and perhaps we might have a—go out to lunch for an hour, and then I can get my records.

The CHAIRMAN. The committee will decide that.

Mr. VOILER. I am sorry. I had my records with me yesterday.

The CHAIRMAN. You should have brought them back with you today, but you can get them now. However, we will determine when we are going to have the sessions and when we will have lunch.

You testified yesterday as to certain facts. Do you wish to change any testimony that you gave?

Mr. VOILER. Definitely not.

The CHAIRMAN. I understood you to say when you came back the second time yesterday that, in your opinion, perjury had been committed; do you repeat that or do you wish to change it?

Mr. VOILER. Perjury had been committed?

The CHAIRMAN. That is what you said.

Mr. VOILER. I think somebody has committed perjury.

The CHAIRMAN. That is what I understood you to say yesterday. I would like to ask you a question or two concerning your knowledge of Mr. Accardo, Martin Accardo; did you know him at all as Martin Accardo?

Mr. VOILER. No; I know him as Leo Martin.

The CHAIRMAN. Did you have any knowledge of the fact that the man that you refer to as Leo Martin was and is Martin Accardo?

Mr. VOILER. Only from this hearing.

The CHAIRMAN. You did not know it previously?

Mr. VOILER. No, sir.

The CHAIRMAN. Do you know Mr. Carroll?

Mr. VOILER. I believe I met Mr. Carroll once.

The CHAIRMAN. Under what circumstances?

Mr. VOILER. I think Mrs. Yelverton called me up one day. She wanted me to come out and see her. I said I had no transportation. She said, "I will send for you." I think that was Mr. Carroll who came to pick me up.

The CHAIRMAN. That was the extent of your contact with Mr. Carroll?

Mr. VOILER. Yes, sir.

The CHAIRMAN. Did you on any occasion see Martin Accardo or Leo Martin in the presence of Mr. Carroll?

Mr. VOILER. Never.

The CHAIRMAN. Did you ever accompany Mr. Carroll to see Martin Accardo or Leo Martin?

Mr. VOILER. Never.

Mr. MOSER. Did you have any understanding with Martin Accardo as to the policy of your paper?

Mr. VOILER. No, sir.

Mr. MOSER. You did not.

Mr. VOILER. No, sir.

Mr. MOSER. Did you have any understanding with anyone who is a gambler or who was engaged in any illegal activities to the effect that

you were to conduct a campaign against law-enforcement officers and against the crime commission?

Mr. VOILER. Certainly not.

Mr. MOSER. You had not such understanding with anybody?

Mr. VOILER. Definitely not.

Mr. MOSER. You had that policy in your editorial pages, did you not?

Mr. VOILER. No, sir. We had no such thing. We were always for law and order.

Mr. MOSER. And always for Costello; is that correct?

Mr. VOILER. No. That is a very bad statement for an officer of this committee to make.

Mr. MOSER. Did you publish an editorial in your paper favoring Costello and urging that he be welcomed to Miami?

Mr. VOILER. Mr. Chairman——

Mr. MOSER. Just answer my question, please.

The CHAIRMAN. Just answer the question.

Mr. MOSER. Yes or no; did you publish such an editorial?

Mr. VOILER. We did not publish the editorial for the benefit of any individual. We believed that the Constitution of the United States gave any man the privilege to go wherever he saw fit. I, myself, had been a victim of that very thing that you are talking about in 1932 or 1933.

Mr. MOSER. Just a minute. I asked you a simple question. Yes or no; did you publish an editorial favoring Costello? Yes or no; very simple.

Mr. VOILER. I amplified that question by saying——

Mr. MOSER. Is it difficult to tell me whether the answer is yes or no?

Mr. VOILER. We spoke. I believe, on January 26, my editor, Mr. Frank Malone, wrote that editorial, showed it to me, and I approved.

Mr. MOSER. Did you talk to Frank Costello about that editorial before it was published?

Mr. VOILER. I have never spoken to Frank Costello in all my life.

Mr. MOSER. Did your editor, Frank Malone, talk to Frank Costello before the editorial was published?

Mr. VOILER. Not to my knowledge.

Mr. MOSER. He didn't?

Mr. VOILER. He couldn't have.

Mr. MOSER. Why not?

Mr. VOILER. I don't believe he knows him.

Mr. MOSER. You don't believe he knows him?

Mr. VOILER. I don't believe it.

Mr. MOSER. Do you know Charlie Wolf? George Wolf; do you know George Wolf?

Mr. VOILER. Where is Mr. George Wolf from?

Mr. MOSER. From New York City.

Mr. VOILER. No, sir.

Mr. MOSER. Do you know a George Wolf who is counsel for Costello?

Mr. VOILER. No, sir.

Mr. MOSER. You never heard of him?

Mr. VOILER. I may have heard of him; you asked me if I ever knew him. I said, I don't know him.

Mr. MOSER. You don't know much about Frank Costello?

Mr. VOILER. Only what I am hearing.

Mr. MOSER. You know practically nothing about him?

Mr. VOILER. Very little.

Mr. MOSER. Do you think he should be welcomed to Miami?

Mr. VOILER. I think any man who has not committed a crime should be welcome in any part of the United States.

Mr. MOSER. Has he——

Mr. VOILER. I think the fathers who made the laws and contracted the Constitution and put in the Bill of Rights and inserted for the poor man the laws we know, the habeas corpus, I think that was put in there for protection.

Mr. MOSER. It was put in there for an entirely different purpose. Now, coming back to Frank Costello, you said that a man who had not committed any violations of the law should be allowed to come here?

Mr. VOILER. Any, any.

Mr. MOSER. Has Frank Costello committed any violation?

Mr. VOILER. Not to my knowledge.

Mr. MOSER. It may be that he has.

Mr. VOILER. I couldn't answer that.

Mr. MOSER. But if he has, you don't think he ought to be welcomed to Miami, do you?

Mr. VOILER. If he has committed a crime some place, wouldn't he be punished by the authorities where the crime was committed?

Mr. MOSER. He may be, if he was caught; isn't that correct?

Mr. VOILER. If he was caught?

Mr. MOSER. Yes.

Mr. VOILER. Then he couldn't have committed any crime then, if he was caught.

Mr. MOSER. No crimes are committed then except by the ones who are caught; is that correct?

Mr. VOILER. I can't answer that question.

Mr. MOSER. In other words, you know nothing about Frank Costello; is that correct?

Mr. VOILER. Only what I heard.

Mr. MOSER. And if he had committed crimes of an important nature, you wouldn't think he ought to be welcomed to Miami; would you?

Mr. VOILER. I think you are getting away from the point, sir.

The CHAIRMAN. Mr. Voiler, let me bring you back to the point then. You said you knew nothing about Mr. Costello, and you said that your editorial writer knew nothing about him; is that correct?

Mr. VOILER. We were speaking on the premise of what the law was in the United States.

The CHAIRMAN. Yes; well, I am asking you, didn't you previously state that both you and the editorial writer knew nothing practically about Frank Costello?

Mr. VOILER. I can speak for myself, that I don't know Mr. Frank Costello.

The CHAIRMAN. But you did speak more than that a minute or two ago and said that your editorial writer didn't know him; didn't you say that Malone——

Mr. VOILER. Yes, and I said that he should be subpoenaed so that he may answer that question for himself.

The CHAIRMAN. You have already volunteered it, and I want to question you about it. If you knew nothing about Frank Costello and your editorial writer knew nothing about him, why did you say in your editorial column that Frank Costello, as far as you knew, is a gentlemanly person, and also that he lives a life of rectitude?

Mr. VOILER. That's right.

The CHAIRMAN. Why did you say that if you knew so little about him?

Mr. VOILER. Because the morning papers carried the story that he had given some sort of a benefit for the Salvation Army and that he had raised considerable money.

The CHAIRMAN. And, therefore, he lived a life of rectitude; is that right?

Mr. VOILER. So far as I know, he does.

Mr. MOSER. Is it possible that a gangster or criminal made contributions to charity for the purpose of living a life of rectitude?

Mr. VOILER. It might be possible.

The CHAIRMAN. That is the extent of your knowledge of the editorial, that you issued for the benefit of the Miami people?

Mr. VOILER. No, Mr. Chairman. I am trying to tell you that I, myself, have been a victim of the very thing that transpired or was trying to transpire in 1933. Harry O. Voiler went to California to make a picture called *The Prizefighter and the Lady* for MGM, between Primo Carnera, Max Baer, and Myrna Loy——

Mr. MOSER. Mr. Voiler, did you ask——

Mr. VOILER. Would you please let me finish? Just a minute; the Chair has given me its attention. Why should you want to interrupt me?

The CHAIRMAN. Mr. Voiler, counsel is entirely correct. The statement that you are making is entirely foreign to what we have asked. We have asked about your knowledge of Frank Costello. You said to your knowledge you don't know him. You are going back to something in 1932, which couldn't be remotely connected with what we have asked.

Mr. VOILER. I am trying to tell you, Mr. Chairman, please, what has transpired and what constitutes the law.

The CHAIRMAN. We don't need you to tell us what constitutes the law.

Mr. VOILER. I differ with you, Mr. Chairman, on that.

The CHAIRMAN. We differ on a lot of things.

Mr. VOILER. Of course, we do. The press has a right to express itself in its own opinion without any criticism.

Mr. MOSER. Mr. Voiler, are you willing to discontinue this lecture and answer some questions?

Mr. VOILER. I will be glad to answer anything you like. The only thing I am asking you is to give me a chance to amplify anything that may——

Mr. MOSER. I want you to amplify it. Will you tell me when you were in Hollywood, Calif., in 1932, did you see Frank Costello at that time?

Mr. VOILER. I have never seen Frank Costello in California.

Mr. MOSER. Did you make any attempt to get Frank Costello to put money into your paper?

Mr. VOILER. Certainly not.

Mr. MOSER. Did you ask him or any intermediary of his to put money into the paper?

Mr. VOILER. Certainly not.

Mr. MOSER. When you wrote this editorial had you made any understanding with anybody to the effect that you would favor Costello?

Mr. VOILER. Certainly not.

Mr. MOSER. There is no connection between this editorial and the money that was put into the paper?

Mr. VOILER. Never.

The CHAIRMAN. The editorial to which reference has been made will be introduced into the record and marked by the reporter.

(Said document as above identified, received and marked "Exhibit No. 21." See appendix p. 236.)

Mr. RICE. It is dated January 26, 1950.

Mr. VOILER. May I remind the Chair, please——

Mr. MOSER. Mr. Voiler, you said that you never gave a promissory note to Martin Accardo or to Leo Martin, as you know him; is that correct?

Mr. VOILER. Yes, sir.

Mr. MOSER. You made quite something in your statement to that effect, did you not; didn't you state that?

Mr. VOILER. I stated that I had never given him any note.

Mr. MOSER. Promissory note?

Mr. VOILER. That's right.

Mr. MOSER. I see.

Mr. VOILER. May I address the Chair?

Mr. MOSER. Will you also state that the Oliver Publishing Co. did not give any promissory note to Leo Martin?

Mr. VOILER. Yes, sir.

Mr. MOSER. But you do not deny, do you, that the Oliver Publishing Corp. gave a promissory note to Oreetta Yelverton; you do admit that, do you not?

Mr. VOILER. We never gave her a note. There is an understanding there.

Mr. MOSER. You never gave here a note?

Mr. VOILER. That is an understanding. There is a specific understanding there why that paper was given.

Mr. MOSER. But you did give her a paper, did you?

Mr. VOILER. (No response.)

Mr. MOSER. Why are you so hesitant to admit the existence of this document?

Mr. VOILER. I haven't hesitated. Didn't I ask you to read it? And didn't you, as an attorney—you are now going to let me see it? This will be the second exhibit after four or five that you have put into the record. I, as a witness, I have to ask for these things.

The CHAIRMAN. Mr. Voiler, don't make much over nothing. You had that document in your hand yesterday. You saw it.

Mr. VOILER. I am sorry, sir; may I correct the Chair? I never saw this thing before while it was in your possession.

The CHAIRMAN. Wasn't reference made to the document yesterday?

Mr. VOILER. But it was never shown to me.

The CHAIRMAN. Did you ask to see it?

Mr. VOILER. Do I have to? Isn't it customary for a document to be presented in evidence whereby the witness may see it? Doesn't the Chair know that I am not an attorney?

The CHAIRMAN. Just a minute. You knew what we were referring to, apparently, because you answered questions about it. All right, go ahead.

Mr. VOILER. Shall I read it?

Mr. MOSER. No; don't read it, but tell us if your name appears at the bottom of it.

Mr. VOILER. Yes; my name is on there.

Mr. MOSER. Does your wife's name appear on the bottom of it?

Mr. VOILER. Yes.

Mr. MOSER. Immediately under the name, Oliver Publishing Corp.?

Mr. VOILER. Yes.

Mr. MOSER. Are those your signatures?

Mr. VOILER. Yes.

Mr. MOSER. Will you look at the back page of those documents in your hand, not the back page but the last page?

Mr. VOILER. Chattel mortgage.

Mr. MOSER. Is that the last page you are looking at? Does your name appear at the bottom of that?

Mr. VOILER. Yes.

Mr. MOSER. Does your wife's name appear there?

Mr. VOILER. Yes.

Mr. MOSER. And your signatures appear there?

Mr. VOILER. Yes.

Mr. MOSER. In two places?

Mr. VOILER. Yes.

Mr. MOSER. One says as officers of the corporation?

Mr. VOILER. Yes.

Mr. MOSER. And one says as individuals; is that correct?

Mr. VOILER. Yes.

Mr. MOSER. May I have the document back, please?

Mr. VOILER. I would like to read it into the record. I think I have a right to read it into the record.

The CHAIRMAN. You may read it.

Mr. VOILER. "Promissory note." It is dated January 31, 1950. On the left-hand corner in numerals \$125,000. [Reading:]

One year after date Oliver Publishing Corp., a Florida corporation, Harry O. Voiler and Louise L. Voiler, promise to pay to the order of Oreeta Yelverton, of Dade County, Fla., the sum of \$125,000, with interest at the rate of 3 percent per annum until maturity.

This note is secured by all the assets that the Oliver Publishing Corp. owns, such as the building located at 1521 Alton Road and all the contents within its confines but prior to a first chattel mortgage on the machinery amounting to \$25,000 and \$50,000 on the building, and is subject to all of the terms and covenants therein contained.

It is further understood and agreed that the Oliver Publishing Corp. and Harry O. Voiler and Louise L. Voiler has made no other commitments nor shall the Oliver Publishing Corp. and Harry O. Voiler and Louise L. Voiler make any other obligations or sign any promissory notes that will in any way jeopardize the assets of said corporation until this note has been fully redeemed to the complete satisfaction of Oreeta Yelverton, of Dade County, Fla.

It is further agreed that the 50 shares of stock which is the capital stock of the Oliver Publishing Corp. shall be put up as collateral with Oreeta Yel-

verton as further good faith on the part of Harry O. Voiler and Louise L. Voiler and the Oliver Publishing Corp. in redeeming its pledge. It is also understood that there are no bonds of any kind issued or outstanding by the Oliver Publishing Corp., a Florida corporation.

And whereas the right is given by the Oliver Publishing Corp. and Harry O. Voiler and Louise L. Voiler, to Oreetta Yelverton at the redemption of this note by the Oliver Publishing Corp. and Harry O. Voiler and Louise L. Voiler to grant to Oreetta Yelverton the privilege of purchasing 25 shares of the capital stock of the Oliver Publishing Corp. which now consists of 50 shares for the sum of \$125,000, giving her an equal share in the ownership and management of the Oliver Publishing Corp., a Florida corporation.

It is signed on the left-hand side, "Harry O. Voiler and Louise L. Voiler," and the corporation's seal on the left-hand side. On the right-hand side, "Oliver Publishing Corporation, by Harry O. Voiler, president; and Louise L. Voiler, secretary."

Mr. MOSER. Who drafted that?

Mr. VOILER. I did.

Mr. MOSLER. You drafted it, yourself?

Mr. VOILER. Yes, sir.

Mr. MOSER. With the help of a lawyer?

Mr. VOILER. No, sir.

The CHAIRMAN. Mr. Voiler, if you prepared it yourself, why, then, did you think it was such a necessity for you to see it yesterday?

Mr. VOILER. Because I wanted to read it into the record.

The CHAIRMAN. It was marked in the record. It has been introduced into the record in full. Look at the back page.

Mr. VOILER. Being marked into the record and having read it now, having read it, I think the whole United States will understand what this is.

Mr. MOSER. What is attached to it, a chattel mortgage?

Mr. VOILER. Yes. A chattel mortgage.

Mr. MOSER. Did you prepare that, too?

Mr. VOILER. Yes; I did.

Mr. MOSER. What does that cover?

Mr. VOILER. It covers the composing-room equipment, the press equipment, the stereotype equipment, the mailing equipment.

Mr. MOSER. Now, those were all subject to another chattel mortgage, were they not, a prior chattel mortgage?

Mr. VOILER. There was a prior chattel mortgage of \$25,000.

Mr. MOSER. On some of them?

Mr. VOILER. On all of the equipment, not counting the three Linotype machines that are not in here, I don't think, but were in on the \$25,000 loan we had made.

Mr. MOSER. What was the financial condition of your company at the time this so-called deal was made?

Mr. VOILER. I think it was sound.

Mr. MOSER. How long had you been running?

Mr. VOILER. Altogether?

Mr. MOSER. Yes.

Mr. VOILER. Forty-eight days.

Mr. MOSER. How long had you been running at the time you made this agreement?

Mr. VOILER. We started on January 12; being the 13th, I imagine that would be 21 or 22 days.

Mr. MOSER. Did you have any advertising contracts?

Mr. VOILER. We originally had some, but we were originally due to go into publication on December 30. We had—the print was off one-hundredth of an inch, and, therefore, the shaft was heating up. We had to call in other engineers to straighten that out and to find a solution for it. It finally choked it. From December 30, when we first discovered it, perhaps I should say, November 30, or maybe November 29 or the 30th of November——

Mr. MOSER. Had you received any money for advertisements at that time?

Mr. VOILER. No. Advertisements are not paid usually in advance.

Mr. MOSER. Did you have any amounts owed to you on January 31 for advertisements?

Mr. VOILER. Yes; I think so.

Mr. MOSER. Do you know how much?

Mr. VOILER. No.

Mr. MOSER. Any substantial amount?

Mr. VOILER. I wouldn't know offhand. I could bring the records and amplify it.

Mr. MOSER. Had you received any money from subscriptions?

Mr. VOILER. Some.

Mr. MOSER. Some; how much?

Mr. VOILER. Well, I wouldn't know that. That is all on the records. We have that on the records.

Mr. MOSER. Did your profit-and-loss statement or condition show a profit or loss at that time, January 31, 1950?

Mr. VOILER. We hadn't made any statement up.

Mr. MOSER. Well, you would know whether you were working at a profit or loss?

Mr. VOILER. I believe we were operating at a loss.

Mr. MOSER. A substantial loss?

Mr. VOILER. Well, one doesn't know of those things, of how substantial the loss might be.

Mr. MOSER. It is rather an important question when you are starting an enterprise; isn't it?

Mr. VOILER. I was prepared to lose, originally \$1,500 a week.

Mr. MOSER. \$1,500 a week?

Mr. VOILER. Yes.

Mr. MOSER. Where were you going to get the \$1,500 a week?

Mr. VOILER. I had this money in the bank.

Mr. MOSER. You had it in the bank?

Mr. VOILER. Yes, sir.

Mr. MOSER. All the money you had borrowed to buy this equipment and so forth?

Mr. VOILER. Yes, sir.

Mr. MOSER. And you had some more money in the bank besides?

Mr. VOILER. Yes, sir.

Mr. MOSER. Besides the \$41,000 you testified yesterday you used to buy equipment, how much more did you have in the bank at that time?

Mr. VOILER. I would have to look at my records.

Mr. MOSER. Approximately how much was that?

Mr. VOILER. I couldn't answer.

Mr. MOSER. Was it \$1,000?

Mr. VOILER. Oh, 'way above that.

Mr. MOSER. Was it \$50,000?

Mr. VOILER. On January 4—January 1?

Mr. MOSER. At the time you started this paper—January 12.

Mr. VOILER. On January 12?

Mr. MOSER. Yes.

Mr. VOILER. Oh, I don't know. I think my balance may have been \$15,000 or \$20,000.

Mr. MOSER. What form was that in; was it in the bank?

Mr. VOILER. Yes, sir.

Mr. MOSER. It was; you had none of it invested in securities?

Mr. VOILER. No.

Mr. MOSER. You were receiving no income on it?

Mr. VOILER. No, no. This money was in the Oliver Publishing Corp. We are speaking of the Oliver Publishing Corp.?

Mr. MOSER. All right.

Mr. VOILER. It was in the bank in the account of the Oliver Publishing Co.

Mr. MOSER. Where did you get that money?

Mr. VOILER. Where did I get that money? I think I amplified that yesterday, that I had made some mortgages.

Mr. MOSER. You had taken a mortgage for \$55,000 in 1946; is that right?

Mr. VOILER. It was returned when?

Mr. MOSER. 1949 or 1950.

Mr. VOILER. 1948 or so. You brought out in your questioning about the Western Packing Corp.

Mr. MOSER. Yes.

Mr. VOILER. I think I said that the court had given back that money.

Mr. MOSER. You had a newspaper that was operating at a loss, you thought; you had no income coming in. At least, it wasn't substantial enough so that you could remember it, and yet you contend that someone who just walked into the plant and watched the machinery was willing to spend \$125,000 to buy half of the stock. Is that correct; is that your contention?

Mr. VOILER. Nobody bought any stock.

Mr. MOSER. I didn't say anybody bought the stock. You said somebody wanted to buy the stock for that price; is that correct?

Mr. VOILER. Mrs. Yelverton had made that suggestion.

Mr. MOSER. She made that offer?

Mr. VOILER. Yes.

Mr. MOSER. Did Mrs. Yelverton ever make any investigation of the financial condition of the company?

Mr. VOILER. I couldn't know that.

Mr. MOSER. Did she ask you how much money you were going to make?

Mr. VOILER. Did she ask me how much money I was going to make—we were going to make?

Mr. MOSER. Yes.

Mr. VOILER. I don't think so.

Mr. MOSER. Did she ask you how much money you had made up to that time?

Mr. VOILER. We couldn't have made any money up to January 31.

Mr. MOSER. Did she ask you how much money you had made up to that time?

Mr. VOILER. No, sir.

Mr. MOSER. She did not; did she ask to examine any of your books?

Mr. VOILER. No, sir.

Mr. MOSER. Did she ask you whether there were any mortgages on your machinery?

Mr. VOILER. I think I specified it in here [referring to document].

Mr. MOSER. Did she ask you?

Mr. VOILER. No. I volunteered all that.

Mr. MOSER. Did she ask you whether there was any mortgage on the building?

Mr. VOILER. No. I think we specified there was a \$50,000 mortgage on the building.

Mr. MOSER. Did she make any inquiry as to what the financial set-up of the organization was?

Mr. VOILER. No.

Mr. MOSER. It is your contention that someone who knew nothing whatever about the condition or prospects of the business asked to invest \$125,000 in half of the stock; is that your contention?

Mr. VOILER. Yes, sir.

Mr. MOSER. That is all I want to ask you.

The CHAIRMAN. That is all, Mr. Vailer. You are excused.

(Witness excused.)

FURTHER TESTIMONY OF OREETA YELVERTON CARROLL, MIAMI, FLA.

The CHAIRMAN. Mrs. Carroll will be the next witness.

Mr. MOSER. You understand that you are still under oath?

Mrs. CARROLL. Yes.

Mr. MOSER. Do you have any objection to having pictures continued?

Mrs. CARROLL. We can wait until after I am through, can't we? I would like to concentrate on what I am saying.

Mr. MOSER. While the witness is testifying there will be no pictures taken.

Mrs. CARROLL. I am sorry; my children may be watching this—

Mr. MOSER. At your request.

Mrs. CARROLL. And no newsreel, please.

Mr. MOSER. Do you have any objection to the rear camera being on?

Mrs. CARROLL. The rear camera may stay on. No newsreel pictures.

Mr. MOSER. You have heard the testimony of the previous witness?

Mrs. CARROLL. Yes; I did.

Mr. MOSER. You heard him demand that we ask you certain questions?

Mrs. CARROLL. Yes, sir.

Mr. MOSER. Are you prepared to answer those questions?

Mrs. CARROLL. Yes, sir; I am.

Mr. MOSER. First, let me ask you whether you reaffirm all of the testimony you gave yesterday?

Mrs. CARROLL. Absolutely.

Mr. MOSER. You state that it was all true and correct?

Mrs. CARROLL. Every word.

Mr. MOSER. And you state that the testimony given by Mr. Voiler was false?

Mrs. CARROLL. I do.

Mr. MOSER. Mrs. Carroll, have you a statement that you would like to make generally on the proposition?

Mrs. CARROLL. Yes; I think so. Mr. Voiler has evidently spent an awful lot of time on his speech, and was quite effective and dramatic from his viewpoint, so I hate to spoil it for him, but the things he says that I have no actual proof of that, it's nothing but my word, I am afraid that I have—I mean other people I have discussed this situation with; other people, not just Martin Accardo.

Now, when I first found out about his connection with the paper—
The CHAIRMAN. Whose connection?

Mrs. CARROLL. Martin Accardo. I asked him at that time—he told me he had given Mr. Voiler \$50,000, and I said, "Well, who is the man?" I said, "I mean where does he come from?" I had never even heard of him, and for Accardo to be interested in the newspaper, well, naturally, it would seem a little ridiculous to me, knowing the circumstances, and he showed me a piece of paper he had in the desk there. My attorney has it now. I can produce it if you care to see that. It was just a small piece of paper with Harry Voiler's and Louise Voiler's names signed at the bottom. It was something about—it's been a long time since I have seen it—about issuing shares into the company, and it left a couple of places blank there for the name to be filled in.

Mr. MOSER. Can you identify the date on which this occurred?

Mrs. CARROLL. Yes, sir. I think it was about 3 days before the paper opened. Just what date that would be, I don't know. I don't remember what date the paper opened, either.

Mr. MOSER. About the 10th of January 1950?

Mrs. CARROLL. The 10th of January; that's right. This was about 2 or 3 days previous to that. I asked him at the time, I said, "This paper means nothing." He said, "Well, after all"—and I am sure the committee is familiar with the customs of some of the men in Mr. Accardo's business; they don't sign notes or anything; if they borrow money, a handshake is good enough. Evidently that is what took place between Mr. Accardo and Harry Voiler with that first \$50,000 because the papers here given me were worthless; there was nothing to it at all. It wasn't worth the ink and the paper it was written on.

That was when he told me that that was the money he was to have put into a fund for the children. He asked me to meet Mr. Voiler and make up my own mind. He had been very impressed with him and he felt sure that after I had met Mr. Voiler and talked to him I would feel differently about it. It is not true that we went over and picked them up and took them to dinner. They came out to my home in Coral Gables in a cab.

That night the paper was discussed—or I tried to discuss it, rather. But every time that I would bring it up Mrs. Voiler would start talk-ink real fast about the interesting parts of the newspaper business. But I couldn't quite seem to get any—I mean Mr. Voiler just evaded

anything I would try to say. I mean he would just change the subject in a very nice, polite way, of course. So I took the paper. I had made up my mind I didn't like the man. I didn't like his attitude. There was nothing straightforward and honest about it.

Of course, I was interested in the money that was put into that paper, because I can't educate two children on Mr. Voiler's investments. I took that slip of paper to an acquaintance of mine. I would rather not mention his name at the time. But he is in the prosecutor's office here in Miami. I asked his advice. I went to him because I felt that I could trust him and he would tell me a good attorney I could go to—someone I could go to.

Mr. MOSER. May I interrupt you, and ask you whether you were married and living with Martin Accardo at the time?

Mrs. CARROLL. I was not married to him at that time. My name was legally Yelverton, my maiden name. So I did go to an attorney at that time, but Mr. Accardo at that time had already given Mr. Voiler more money. He was getting a little worried, himself, because Voiler was asking for money faster than the man could seem to produce it.

So Mr. Accardo went with me. We went to see an attorney here in Miami. I think that was 11 o'clock in the morning. I explained the whole situation to him. I showed him this little slip of paper that was for the \$50,000. So he got busy on the phone and he made an appointment with Mr. Voiler for 4 o'clock that afternoon. Well, that gave him quite a few hours to work on it. He came over that afternoon at 4 o'clock. We went up there to the apartment over the newspaper. We sat there from that time until about 10 o'clock that night. My attorney was trying to get Mr. Voiler to give me some protection for the investment in the paper and for my children. That is all I was asking for. After all, I couldn't tell him and Mr. Accardo what to do.

And he told Mr. Voiler that—they couldn't come to any agreement, but the whole affair was discussed between the four of us in that one room.

The CHAIRMAN. So the attorney was present all this time?

Mrs. CARROLL. Yes, sir; absolutely. He heard every word that was said.

Mr. MOSER. Who were those that were there?

Mrs. CARROLL. There were Mr. Voiler, Mr. Accardo, my attorney, and me.

Mr. RICE. Was Mrs. Voiler there?

Mrs. CARROLL. Mrs. Voiler was sick downstairs when we first arrived. In fact, I think Frank alone, Voiler's editor, came up a couple of times while we were there, while we were upstairs talking.

We were there until about 10 o'clock that night. My attorney saw we could get nowhere with him, because he is very familiar with the newspaper business himself, the attorney is; and he questioned Mr. Voiler as to his intentions and his policy and different aspects of the paper, or tried to. He got no cooperation whatsoever.

Mr. RICE. Was the lawyer that you had also representing Mr. Accardo?

Mrs. CARROLL. Oh, no.

Mr. RICE. He was representing both of you?

Mrs. CARROLL. Well, I suppose you would call it that. Mr. Accardo went with me. I was the one that insisted on going. I think Mr. Accardo, in Mr. Voiler's interest, was keeping me satisfied at that time and keeping me quiet.

Mr. RICE. What position did Mr. Accardo take in the conference at that time; did he take the position of wanting to get this paper in writing to be evidence of the money that had been put up?

Mrs. CARROLL. It had got to the point that Mr. Accardo was very willing to throw the whole thing into someone else's lap, because frankly he didn't know where to go from there. Evidently, they hadn't been able to carry out their plans, and Mr. Voiler had already gotten himself involved with the Daily News here. In fact, at that time he had a suit pending.

Well, Mr. Accardo—I don't know if he was afraid—but I, as I said, he was very willing to let me take over from that point. It may have been that he wanted to keep me very quiet and satisfied. I can't say; I can only tell you what his attitude was.

Mr. RICE. Someone prepared that note; is that correct?

Mrs. CARROLL. That was after the attorney left there. He said, "Mr. Voiler, since we can't come to any agreement, I will have my auditors here first thing in the morning to go through the books of the paper."

We left and went on home. Mr. Voiler called. We were hardly home until he called. He and Mr. Accardo got together that night and, so help me, if he didn't give him \$20,000 more that night.

Mr. RICE. How do you know that?

Mrs. CARROLL. I heard the telephone conversation. Mr. Accardo told me, and even called the attorney and told him not to send the auditors in the following morning, that Mr. Voiler had given him back every bit of his money.

Mr. RICE. Why did he tell you he put up the \$20,000?

Mrs. CARROLL. Because Voiler at that time was expecting help from different sources.

Mr. RICE. For instance?

Mrs. CARROLL. From the things that I observed, Mr. Voiler is quite a promoter, and he just talked a little faster than Mr. Accardo. I suppose; but he told me that he felt that \$20,000 more, that with that he could keep going until he could get more money, because, Mr. Accardo told him he just couldn't keep putting it in, he couldn't keep putting money into it.

Mr. RICE. Then you had come to getting a piece of paper later on.

Mrs. CARROLL. Of course, I was very nervous; in fact, I was sick over it, because what could I do except drag it into court, and no doubt you gentlemen have seen the newspapers; I have friends; I have children. I have friends that have met Mr. Voiler in my home. Right after his visit to New York when he tried to see Costello——

Mr. MOSER. He went to New York to try to see Costello?

Mrs. CARROLL. That's right.

Mr. MOSER. How do you know that?

Mrs. CARROLL. He told me himself. In fact, he wanted me to go with him to New York.

The CHAIRMAN. When was that?

Mrs. CARROLL. Well, Mrs. Voiler, I think, had gone to California. It was in the spring of—when was Mother's Day?

Mr. MOSER. May 13.

Mrs. CARROLL. It was sometime around May or the first part of June. I can check back.

Mr. MOSER. May or June of what year, 1950?

Mrs. CARROLL. This past year; yes.

Mr. MOSER. This was after the paper was under way, of course?

Mrs. CARROLL. This was after it had closed.

The CHAIRMAN. Who first brought up Frank Costello's name?

Mrs. CARROLL. While the paper was going; in fact, in this editorial, when I made the remark about not liking the editorial. I didn't say I didn't like it, because I was going along. I felt that if I expressed my opinions too deeply that nothing would be said in front of me, so I tried to stay as friendly as I could with Mr. Voiler and Mrs. Voiler, which I did. And they did take me into their confidence. Everything was discussed in front of me. At this time that editorial came out and they made an issue of it. Mr. Voiler told me that he was trying to get Costello interested in the paper, that he needed his backing.

The CHAIRMAN. Did he indicate whether he knew Costello or not?

Mrs. CARROLL. I am sorry, I can't say yes to that and I can't say no. I don't believe that Mr. Voiler knew him, but I know that Mr. Wolf visited Mr. Voiler at the plant.

The CHAIRMAN. Who is Mr. Wolf?

Mrs. CARROLL. Mr. Voiler told me that he was Mr. Costello's attorney, and made an appointment for him to see Costello the following day. That evening one of the local papers gave Costello quite a write-up, and they named places he was. The following day he wasn't in town. He checked out before Mr. Voiler got to see him. Later, after the paper folded, he wanted to go to New York. I suppose it was his last hope. He couldn't get anyone else. He tried to contact him; wanted me to try to contact him there.

The CHAIRMAN. Who wanted?

Mrs. CARROLL. Mr. Voiler wanted to try to contact Mr. Costello in New York. He asked me to go with him.

Mr. MOSER. Why did he want you to go with him?

Mrs. CARROLL. I don't know why he wanted me to go with him exactly, unless he thought—he was always planning dinner parties over on the beach between the men interested in this newspaper and would invite me to go along. So I assume he wanted me to go to New York for the same purpose. As I said, I tried to stay on friendly terms; otherwise, I wouldn't have known what was going on.

Mr. MOSER. You were not married to Mr. Accardo at that time?

Mrs. CARROLL. No; I wasn't.

Mr. RICE. That was at the time when the newspaper was in financial distress; is that right?

Mrs. CARROLL. It was always in financial distress.

Mr. RICE. The operation needed more money badly?

Mrs. CARROLL. That's right.

Mr. RICE. Was there any other procedure suggested for raising funds, any unlawful way that came to your attention between Accardo and Voiler, that came to your attention?

Mrs. CARROLL. Yes; there was. Now, this is going to embarrass Mr. Voiler terribly, but every word of it is the truth. When Accardo kept telling him, I mean, that the payroll—I can't remember what the payroll was, but it was a ridiculous figure for a brand-new paper of that size beginning. He had even taken \$5,000 out of the money that Mr. Accardo had given him to get his wife's jewelry out of hock. Mr. Accardo told him he couldn't get the money that fast. It was beginning to frighten him, and, and evidently, the figures and the amounts that Mr. Voiler kept throwing at him frightened him. He told him he couldn't do it, couldn't keep it up. He asked him to try to get help from various sources, and he said he would rather not do that, or didn't know if he could. Mr. Voiler asked him if he would be willing to help him. He said that that paper would never close, that he had worked all his life, that that is what—that it was going on, that it was his one aim and ambition, and that he was going to make people respect the name of Harry Voiler through that newspaper; and if he had to go out and steal the money to keep it going, that that paper would never fold.

And he asked Mr. Accardo, since he was a partner, if he would be willing to help him.

Mr. RICE. Help him?

Mrs. CARROLL. If he had to go out and steal the money he would do it, and asked him if he felt as deeply as he did about keeping the paper going.

Mr. RICE. Did they discuss any hold-ups or how they were going to steal?

Mrs. CARROLL. No, because Mr. Accardo's answer wasn't what Mr. Voiler expected it to be, I am afraid.

Mr. MOSER. What was his answer?

Mrs. CARROLL. He told him he had done a lot of things in his time, but one thing he had never done, he had never stolen a thing, and that he wouldn't do it for any reason unless his children or his wife or his family were in such circumstances that he had to do it, then he would, but he couldn't do it for any newspaper or to clear anybody's name, Harry Voiler or any other name.

Mr. MOSER. Did Voiler suggest any particular methods of committing the crimes?

Mrs. CARROLL. No. He was feeling Mr. Accardo out at this time. If anything was discussed after that, it wasn't in my presence.

Mr. MOSER. Did this conversation you just repeated take place in your presence?

Mrs. CARROLL. Oh, yes. It was in the apartment above the newspaper.

Mr. MOSER. Yesterday in your testimony you said that an effort had been made to persuade Mr. Accardo to get his brother Tony to put pressure on the movie houses to put advertising in the newspaper?

Mrs. CARROLL. That's right.

Mr. MOSER. Would you like to cast any further light on that?

Mrs. CARROLL. Yes. I think the second time that I met Mr. Voiler—I mean where anything was discussed about the paper—I realized it right away that he was expecting an awful lot of help from Martin Accardo, from his brother. And he seemed very astonished and surprised when they started having difficulties that Mr. Accardo wouldn't

go to his brother for money. Voiler had been counting on that very much. I think he knew at the beginning that Accardo didn't have that kind of money, but he was interested to get these other people tied into it, because he knew that they did have, and they did have the connections or things that Mr. Voiler wanted.

Mr. MOSER. In the conversation that Accardo had with Voiler in your presence did Mr. Voiler admit that the money had been given to him by Accardo?

Mrs. CARROLL. I have given him money, myself.

Mr. MOSER. You have actually handed him money?

Mrs. CARROLL. Yes, sir; I have.

Mr. MOSER. That Accardo gave you?

Mrs. CARROLL. Accardo was with me. I had it in my purse, because it was cash.

Mr. MOSER. In what form was the money?

Mrs. CARROLL. In bills; I can't remember.

Mr. MOSER. Can you tell me how much at one time?

Mrs. CARROLL. Yes; I remember. In fact, I remember the afternoon that I took the attorney over, there was \$20,000 in my purse at that time, and I even told the attorney, I said, "He is ready to give him \$20,000 today, but I am not letting this money out of my purse until I get your opinion on this man and see what you think of him," and I am afraid he agreed with me.

Mr. MOSER. Did you show the money to the attorney?

Mrs. CARROLL. Yes.

Mr. MOSER. He saw that you had it?

Mrs. CARROLL. That's right. That is the \$20,000 that he later that evening gave Mr. Voiler. Now, at the time of the machines, when he bought these machines, he said he drew the money from the bank; I gave him the money out of my purse.

The CHAIRMAN. You gave the money to whom?

Mrs. CARROLL. To Mr. Voiler. I was carrying it in my purse because it was too big a bundle for him to keep in his pocket, so he asked me to keep it in my purse.

Mr. MOSER. How much money was that?

Mrs. CARROLL. At that time I think it was around \$15,000.

Mr. MOSER. In large bills?

Mrs. CARROLL. It had to be in large bills, because the package was about that thick [indicating].

Mr. MOSER. So that is 20 and 15 that you actually saw delivered?

Mrs. CARROLL. That's right.

Mr. MOSER. And actually carried. How about the 50?

Mrs. CARROLL. The 50 was discussed in my presence and in the presence of my attorney the day that we went over there, all of this discussion, every bit of it.

Mr. MOSER. Voiler admitted that he received the 50?

Mrs. CARROLL. That's right. And he admitted his agreement with Accardo, to begin with. The whole thing was discussed. Now, this paper that Mr. Voiler—may I go into that?

Mr. MOSER. Go ahead.

Mrs. CARROLL. This note that Mr. Accardo brought me home, Mr. Voiler did not give me that. I became ill—well, after the last \$20,000,

who wouldn't? I was a nervous wreck. So a few days later he brings me this note.

Mr. MOSER. Who?

Mrs. CARROLL. Accardo. Mr. Accardo brought that home and asked me if that would satisfy me and make me feel any better about it. I said, "Did you have an attorney draw this up?" He said, "No." I said, "Did Mr. Voiler have an attorney draw it up?" He said, "No."

Then I said, "I want to read the thing. I don't have any confidence in the man, no faith in the man whatsoever."

Mr. Accardo took the note, put it in the safe. I didn't find that note, because I didn't know what he did with it. I didn't find that note until I moved from 1217 Granada this past summer. I was going through some papers and ran across the note. At that time I took the note back to the same attorney and told him what Accardo had done.

Mr. MOSER. Mrs. Carroll, will you now tell us the name of the attorney?

(No response.)

The CHAIRMAN. Well, if you do not desire to do so in public, will you submit it to the reporter?

Mrs. CARROLL. I will be glad to do that.

The CHAIRMAN. Because we have referred the case to the United States attorney and he might be interested in it.

Mr. MOSER. Will you turn to the reporter and give him the name?

(The witness gave the name of the attorney to the reporter.)

Mr. MOSER. All right, Mrs. Carroll, that is all we would like to have from you now.

(Witness excused.)

The CHAIRMAN. We will now recess until 2 o'clock this afternoon.

(Thereupon, recess was taken until 2 p. m. of the same day.)

AFTERNOON SESSION

The CHAIRMAN. Will the hearing please come to order.

Mr. MOSER. Is Philip Thompson of Hollywood here? [No response.]

The CHAIRMAN. We understand that the witness has been served with a subpoena to appear. If he does not respond and if there is no explanation made for his inability to do so, he will be recommended for citation for contempt. Next witness.

Mr. MOSER. Mr. L. C. Boggs.

FURTHER TESTIMONY OF L. C. BOGGS, MAYOR, HOLLYWOOD, FLA.

The CHAIRMAN. Mr. Boggs, you have been sworn?

Mr. BOGGS. Yes, sir.

Mr. MOSER. Will you state your full name again?

Mr. BOGGS. When I came in here this morning—

Mr. MOSER. Will you state your name, please?

Mr. BOGGS. Lester C. Boggs; Lester Crawford Boggs.

Mr. MOSER. What is your address?

Mr. BOGGS. 2301 Lee Street, Hollywood, Fla.

Mr. MOSER. What is your business?

Mr. BOGGS. I am in the septic-tank and sewage-disposal business.

Mr. MOSER. How many employees do you have?

Mr. BOGGS. Oh, they vary. Now, I guess we have got 18 or 20; I am not sure; 18 or 20.

Mr. MOSER. You install septic tanks?

Mr. BOGGS. Septic tanks and new sewer works.

Mr. MOSER. What is the area of your business?

Mr. BOGGS. Hollywood, Hallandale, and Dania.

Mr. MOSER. About how many septic tanks do you put in per month?

Mr. BOGGS. Well, some months we are more busier than others. I can't tell. I would say on the average of about 15 a month, the year round.

Mr. MOSER. Fifteen a month?

Mr. BOGGS. Yes; something like that.

Mr. MOSER. How much does it cost to put in a septic tank?

Mr. BOGGS. That is according to the way you are putting it in.

Mr. MOSER. Can you give us an average as to how much a septic tank costs the customer?

Mr. BOGGS. Excuse me. I thought you meant buying the stock.

Mr. MOSER. How much does it cost a customer?

Mr. BOGGS. It averages—the average-size house costs about \$81.

Mr. MOSER. \$81?

Mr. BOGGS. Yes, sir. That is, tanks and drainage. That is, a complete job.

Mr. MOSER. That is, a domestic septic tank?

Mr. BOGGS. Yes, sir.

Mr. MOSER. Do they have any sewerage system in your town?

Mr. BOGGS. No. Just a couple of streets are sewerred; that's all. It's just drainage sewer and not a sanitary sewer.

Mr. MOSER. Do you have any other sources of income?

Mr. BOGGS. Well, I don't know whether you would call it income or not; I have got a little farm.

Mr. MOSER. You have a little farm?

Mr. BOGGS. Yes, sir.

Mr. MOSER. What kind of farm?

Mr. BOGGS. Well, we raise a few pigs. We buy a few pigs in the wintertime and sell them in the spring.

Mr. MOSER. You make a profit on that operation?

Mr. BOGGS. Sometimes I make a profit and sometimes you lose, according to what kind of hogs you get.

Mr. MOSER. In recent years how much?

Mr. BOGGS. I would say in recent years it hasn't been profitable. It's just up and down; one year you make a little money and the next year you don't.

Mr. MOSER. That is a minor operation that doesn't produce much income; is that right?

Mr. BOGGS. Well, sometimes it will if you have a real good year.

Mr. MOSER. How much do you make in a good year in the hog business on your farm?

Mr. BOGGS. Well, the most I think I have ever made is around \$7,000 or around \$8,000.

The CHAIRMAN. Keep your voice up.

Mr. BOGGS. \$7,000 or \$8,000, I would guess; I don't know right off-hand.

Mr. MOSER. Maybe \$7,000?

Mr. BOGGS. Yes; something or other in that amount.

Mr. MOSER. During what years have you been on the governing body of Hollywood?

Mr. BOGGS. Since 1935.

Mr. MOSER. Have you been on it every year?

Mr. BOGGS. Yes; every year. One time I was off for about 3 months.

Mr. MOSER. When was that?

Mr. BOGGS. I don't know. I believe it was 1939 or 1940. In 1939 or 1941 the legislature passed an act and changed the laws around of the way you elect people in Hollywood. See, we used to elect by districts.

Mr. MOSER. It was only about 2 or 3 months that you were off?

Mr. BOGGS. About 2 or 3 months.

Mr. MOSER. During what years were you mayor?

Mr. BOGGS. I was mayor in 1945, 1946, 1949, and 1950, and am today.

Mr. MOSER. 1945, 1946?

Mr. BOGGS. Yes, sir.

Mr. MOSER. Not in 1948?

Mr. BOGGS. No; 1947 or 1948, not.

Mr. MOSER. In 1949 and 1950 you were?

Mr. BOGGS. See, the board elects the mayor. It isn't the public that elects the mayor. Five, that is, elects the mayor.

Mr. MOSER. Why was it that you were not mayor for two years? What was the reason for that?

Mr. BOGGS. Well, it is customary to make the high man in the election mayor.

Mr. MOSER. And you have been the high man each year except for that term?

Mr. BOGGS. Yes.

Mr. MOSER. Who was responsible for enforcing the gambling laws in Hollywood?

Mr. BOGGS. Well, I think the city police department and the city manager.

Mr. MOSER. Not the mayor?

Mr. BOGGS. The mayor has no police powers whatsoever.

Mr. MOSER. None whatever?

Mr. BOGGS. No, sir.

Mr. MOSER. Who was the boss of the police department?

Mr. BOGGS. The city manager.

Mr. MOSER. The city manager?

Mr. BOGGS. Yes.

Mr. MOSER. Who was the boss of the city manager?

Mr. BOGGS. Well, the city commission, of course. The police department is under civil service.

Mr. MOSER. Under civil service?

Mr. BOGGS. Yes.

Mr. MOSER. But from whom does it take its orders?

Mr. BOGGS. From the city manager.

Mr. MOSER. And the city manager takes his orders from the council; is that correct?

Mr. BOGGS. As a rule, yes.

Mr. MOSER. Were you appointed by the council or the commission?

Mr. BOGGS. The commission.

Mr. MOSER. Does the commission decide what the policy of the police force is?

Mr. BOGGS. In what manner?

Mr. MOSER. Does the council decide when the police force is going to enforce laws and when not?

Mr. BOGGS. No.

Mr. MOSER. Does it have anything to do at all with the policy of the police force in that regard?

Mr. BOGGS. The only thing they have to say was the policy—like, before the winter season come on, of a policy on the gambling. They would tell the chief of police and the city manager the commission's wish in gambling.

Mr. MOSER. So that the police force does follow the policy of the commission to some extent in that regard?

Mr. BOGGS. To some extent, yes.

Mr. MOSER. Do you know Frank Costello?

Mr. BOGGS. No, sir.

Mr. MOSER. You know who he is?

Mr. BOGGS. I have heard of him; read in the paper about him, but I wouldn't know the man if I would see him.

Mr. MOSER. You have never met him?

Mr. BOGGS. No.

Mr. MOSER. Did you read the proceedings of the hearings of this committee with regard to Frank Costello?

Mr. BOGGS. No; I haven't.

Mr. MOSER. Did you read about him in the paper?

Mr. BOGGS. I have read different things about him in the paper, different things about him, being called to Washington by the committee.

Mr. MOSER. Did you ever hear Frank Costello's views expressed on that?

Mr. BOGGS. No, sir.

Mr. MOSER. Did you ever hear that anybody said that there are probably as many crooks in the Government as Frank Costello has?

Mr. BOGGS. No.

Mr. MOSER. You heard nothing like that?

Mr. BOGGS. No.

Mr. MOSER. You didn't say anything to the effect that the Government has gone too far in prosecuting fellows like this?

Mr. BOGGS. No, sir. I think you have reference to a piece in the newspaper, which later the Miami Daily News retracted, because the reporter had got that story twisted up between two different stories, reported me as talking to Costello in Hollywood and also telling that I had said the Government had gone too far in persecuting these fellows. I will tell you the story, if you like.

Mr. MOSER. Had you said that?

Mr. BOGGS. No, sir; absolutely not. They are two different stories. And later I called the Miami Daily News and they retracted that story.

Mr. MOSER. Were efforts made to stop Costello from building a house in Hollywood?

Mr. BOGGS. Not that I know of. I didn't know that he had taken out a permit to build a house in Hollywood.

Mr. MOSER. Do you know a man by the name of William Sims?

Mr. BOGGS. Yes, sir.

Mr. MOSER. Who is he?

Mr. BOGGS. He runs the Hollywood dog track. That is the only Sims that I know, William Sims.

Mr. MOSER. Does he come from Elizabeth, N. J.?

Mr. BOGGS. I couldn't tell you where he comes from. I believe in New Jersey some place.

Mr. MOSER. Does he live there?

Mr. BOGGS. About 10 months out of the year, to my knowledge.

Mr. MOSER. What was his business when he came into Hollywood; his dog track?

Mr. BOGGS. I didn't know of when he came to Hollywood. He came when they built the dog track.

Mr. MOSER. Do you know him pretty well?

Mr. BOGGS. Yes; I knew Mr. Sims pretty well.

Mr. MOSER. Do you know that he was formerly a bootlegger?

Mr. BOGGS. No, sir.

Mr. MOSER. You say that your income was perhaps a maximum of \$7,000 in some years from the hog farm?

Mr. BOGGS. Yes. I would guess that. I can't tell you just right offhand.

Mr. MOSER. And in some other years it was less or perhaps a loss?

Mr. BOGGS. Yes, sir.

Mr. MOSER. And your only other income is from installing cesspools?

Mr. BOGGS. Yes, sir.

Mr. MOSER. Is that done by you personally or by a corporation?

Mr. BOGGS. Personally, up until January this year. My son has formed a partnership.

Mr. MOSER. So, when you stated the number of cesspools that you had put in, you weren't talking about any corporation; you were talking about your own business?

Mr. BOGGS. Yes; up until this year.

Mr. MOSER. Do you know Vincent Alo?

Mr. BOGGS. No, sir.

Mr. MOSER. You don't know him?

Mr. BOGGS. No, sir.

Mr. MOSER. Do you know Jake Lansky?

Mr. BOGGS. Yes, sir. He lives in Hollywood.

Mr. MOSER. He lives in Hollywood?

Mr. BOGGS. Yes, sir.

Mr. MOSER. Do you know Joe Adonis?

Mr. BOGGS. No, sir.

Mr. MOSER. Do you know Jiggs Farrell?

Mr. BOGGS. Yes, sir.

Mr. MOSER. Do you know him well?

Mr. BOGGS. I have known Jiggs Farrell for about 20 years.

Mr. MOSER. Do you know Al Peterson?

Mr. BOGGS. Yes; I know Al Peterson.

Mr. MOSER. What business are those people in?

Mr. BOGGS. Well, now, Jiggs Farrell, I can't tell you what business—in fact, I haven't seen Jiggs in a couple of years, but Al Peterson runs the Valhalla Restaurant.

Mr. MOSER. And it is only a restaurant?

Mr. BOGGS. Well, it is talked of other things; but I can't tell you whether it is or not. I don't know for sure.

Mr. MOSER. Any gambling there?

Mr. BOGGS. I couldn't tell you whether there is or not.

Mr. MOSER. You don't know?

Mr. BOGGS. I don't gamble.

Mr. MOSER. Is it open now?

Mr. BOGGS. I don't believe it is. I haven't been in there in a year. I haven't been in the restaurant in a year, but I don't believe it is. It usually stays open in the wintertime.

Mr. MOSER. Wasn't it closed by court injunction obtained by some citizens there?

Mr. BOGGS. Not the restaurant part.

Mr. MOSER. Not the restaurant part?

Mr. BOGGS. No; not the restaurant part.

Mr. MOSER. What part was?

Mr. BOGGS. They claimed they had booking up in the upstairs of it, or next door to the restaurant.

Mr. MOSER. And an injunction was obtained?

Mr. BOGGS. What I read in the newspaper; yes.

Mr. MOSER. But you don't know why it was obtained?

Mr. BOGGS. Only just what I read. Nobody ever consulted me about it at all.

Mr. MOSER. How about Jiggs Farrell's place?

Mr. BOGGS. I read about that in the paper, too.

Mr. MOSER. Is that closed, too?

Mr. BOGGS. Well, I hear about a year or so ago. I just don't know whether it was that they got some injunctions against it.

Mr. MOSER. You don't know anything about that except just general information?

Mr. BOGGS. Just information.

Mr. MOSER. How is it that Al Peterson didn't tell you anything about it; he is a good friend of yours, isn't he?

Mr. BOGGS. Well, they are all good friends of yours.

Mr. MOSER. Not mine.

Mr. BOGGS. No, mine. But they don't tell me anything.

Mr. MOSER. Do you know M. B. Wellons?

Mr. BOGGS. Yes, sir.

Mr. MOSER. Do you know Jesse Wellons?

Mr. BOGGS. Yes, sir.

Mr. MOSER. What place do they operate?

Mr. BOGGS. Well, right now they are operating a furniture and appliance store, I believe.

Mr. MOSER. They never operated the Rainbow Grill?

Mr. BOGGS. Yes; I believe they did several years ago.

Mr. MOSER. Why was that closed?

Mr. BOGGS. Well, they had an injunction against it.

Mr. MOSER. They had an injunction against it?

Mr. BOGGS. Yes.

Mr. MOSER. How about the Deluxe Cafe; did they own that?

Mr. BOGGS. I think the Deluxe was the one they had the injunction against, not the Rainbow. Wellons, I believe owns the Deluxe and the Rainbow, I believe the Rainbow was the one they got the injunction against.

Mr. MOSER. He owns them both?

Mr. BOGGS. Yes, sir.

Mr. MOSER. Do you know Papa Joe?

Mr. BOGGS. Yes; I know Papa Joe.

Mr. MOSER. Do you know him well?

Mr. BOGGS. Well, not too well. I know him to speak to and talk to him.

Mr. MOSER. You know all these people that I have referred to, but you don't know what their business is?

Mr. BOGGS. Just hearsay. I don't bet on anything unless I am reasonably assured what it is.

Mr. MOSER. What is the business that you think it is?

Mr. BOGGS. Well, I think it is just what you think it is, booking or stuff of that kind.

Mr. MOSER. You think it is a booking business?

Mr. BOGGS. That's right.

Mr. MOSER. If you, as a member of the city commission or as mayor of the city, knew there was booking going on in the town, what would you do about it?

Mr. BOGGS. Anytime there has been a complaint referred to me I referred it to the city manager and the chief of police. And numerous times they have been arrested.

Mr. MOSER. And have you received many complaints?

Mr. BOGGS. Very seldom.

Mr. MOSER. When these places are referred to you, you refer them to the city manager?

Mr. BOGGS. Yes.

Mr. MOSER. Do you follow up to see whether he does anything about it?

Mr. BOGGS. I leave it up to them.

Mr. MOSER. If they stay open, it's up to them to close them?

Mr. BOGGS. Absolutely.

Mr. MOSER. You don't take any responsibility for that?

Mr. BOGGS. That's right.

Mr. MOSER. Have you or other members of the council or commission, as a body, ever expressed any view to the city manager as to what the policy should be on this enforcement?

Mr. BOGGS. Yes; at different times I have told them to keep it closed.

Mr. MOSER. So it is a definite policy of Hollywood to keep those places closed?

The CHAIRMAN. Answer so the reporter can take it down; don't shake your head.

Mr. BOGGS. Yes, sir.

Mr. MOSER. Have you ever told anybody not to raid any particular place?

Mr. BOGGS. No, sir.

Mr. MOSER. Have you ever told the city manager to go easy on anybody?

Mr. BOGGS. No, sir.

Mr. MOSER. I suppose you have read about the testimony that was given here last night, haven't you?

Mr. BOGGS. Yes, sir.

Mr. MOSER. And you would like to deny all of that, I assume?

Mr. BOGGS. Yes, sir. I believe absolutely it is strictly political and not practiced.

Mr. MOSER. Nobody ever gave you any money for protection?

Mr. BOGGS. Absolutely not.

Mr. MOSER. Nobody ever carried any money bags into your house?

Mr. BOGGS. No, sir.

Mr. MOSER. Nobody ever heard anybody counting money in your dining room?

Mr. BOGGS. No, sir.

Mr. MOSER. That is all untrue?

Mr. BOGGS. Absolutely; yes.

Mr. MOSER. Mr. Boggs, you say that this testimony that was given last night is all incorrect and was motivated by political reasons?

Mr. BOGGS. Yes, sir.

Mr. MOSER. How do you account for that?

Mr. BOGGS. Just by disgruntled, defeated candidates and city employees; acts of city employees.

The CHAIRMAN. Mr. Boggs, is that the explanation? Do you think that those men would come here and would perjure themselves; can you give any explanation why they would come down here and make that assertion if there were no foundation in fact, either concerning you or others?

Mr. BOGGS. I absolutely do. I absolutely do. They have contested the election. They have hollered "fraud" in the election. They have done everything in the world. I absolutely do. And I believe that if this committee would look into the character of these people that testified, I don't believe their testimony would ever be written into any fact at all; that is, some of them.

Mr. MOSER. It is true, however, that they obtained injunctions against these places that were open?

Mr. BOGGS. Some of them. Wentworth, I think, did.

Mr. MOSER. Wentworth got the injunction, but wasn't he one of a group?

Mr. BOGGS. I couldn't say what he was. He was named as one that appeared.

Mr. MOSER. I want to ask you about some other places in Hollywood. Do you know the Shore Club?

Mr. BOGGS. Yes, sir.

Mr. MOSER. Do you know Papa Joe's place?

Mr. BOGGS. Papa Joe's is not in Hollywood.

Mr. MOSER. A place called the Wonder Bar?

Mr. BOGGS. The Wonder Bar; yes; that is in Hollywood.

Mr. MOSER. Now, those places were all open in 1949, weren't they?

Mr. BOGGS. I couldn't tell you whether or not they were.

Mr. MOSER. How big a town is Hollywood?

Mr. BOGGS. Hollywood today is 18,000 to 20,000.

Mr. MOSER. That is a pretty small place, isn't it?

Mr. BOGGS. Yes.

Mr. MOSER. You have been the mayor of this town since 1945, with a few years exception?

Mr. BOGGS. Since 1945?

Mr. MOSER. With a few years exception?

Mr. BOGGS. Yes, sir; that's correct.

Mr. MOSER. I should think you would know all the places in town.

Mr. BOGGS. This mayorship is kind of an honorary job. You don't get paid; you have to earn a living.

Mr. MOSER. Do you know what the Florida Amusement Co. is?

Mr. BOGGS. I believe it is the Wellons', the Wellons boys'.

Mr. MOSER. The Wellons'?

Mr. BOGGS. Yes, I believe the Wellons'.

Mr. MOSER. That is an amusement company?

Mr. BOGGS. I believe that is what they call it.

Mr. MOSER. What is the nature of their business?

Mr. BOGGS. Well, now, as I tell you, all I know is that they were arrested for bookmaking and they had these, oh, coin machines, these pinball machines and music boxes, and stuff of that kind.

Mr. MOSER. No slot machines?

Mr. BOGGS. Not that I have ever seen.

Mr. MOSER. Have you ever been in their place of business?

Mr. BOGGS. Yes, sir.

Mr. MOSER. Do you know what they have there?

Mr. BOGGS. Yes, sir. I have never seen any slot machines there.

Mr. MOSER. You have never seen any slot machines there?

Mr. BOGGS. No, sir, I never have. The few times I have been in there I have never seen any slot machines.

Mr. MOSER. Have you filed income tax returns every year since you have been mayor; Federal income tax returns?

Mr. BOGGS. Yes, sir.

Mr. MOSER. What is the gross income that you reported in 1945?

Mr. BOGGS. Your friends have got them there. I couldn't tell you anything about the books.

Mr. T. D. ELLIS, JR. I just asked the witness to ask about the returns. If you asked me that question I don't believe I would be able to answer.

The CHAIRMAN. Counsel, register your objection, please. I think that is proper, that when having produced his accounts he is entitled to have them before him.

Mr. BOGGS. I think I produced those for 10 years there.

The CHAIRMAN. Counsel, it occurs to us that a summary has been made of them and, whether the summary may be read off, subject, of course, to your verification, read rather than have the witness go through each one, it might be quicker that way, unless you have some objection.

Mr. ELLIS. Permit me to explain to the chairman that I have never seen the returns, so I must be ignorant of the situation. I understood that Mr. Boggs had the returns prepared by an auditor, by whom he obtained them this morning, and brought them right down here.

The CHAIRMAN. I was only commenting on the figures that were taken from them today. If the summary would be given it would,

of course, be subject to your check or verification. I am only suggesting that to save time.

Mr. ELLIS. It will be all right if we are given the opportunity of reading them in order to determine the accuracy of them.

The CHAIRMAN. I am going to ask Mr. Moser to read the figures and then, Mr. Boggs having the returns, if any differences evolve we will be delighted to make the corrections.

Mr. MOSER. Mr. Boggs, will you tell us the name of your accountant who has prepared these returns?

Mr. BOGGS. Frank B. Kliney.

Mr. MOSER. Our summary of returns indicates that in the year 1945 you received a gross income of \$31,152.20; does that sound about right?

Mr. BOGGS. Well, yes. 1945 did you say? Not in 1945.

Mr. MOSER. 1945 does not show a gross income of approximately \$31,000?

Mr. BOGGS. No, sir.

Mr. MOSER. I am talking about gross income, not net.

Mr. BOGGS. I don't know nothing about one of these things; I turned it over to him and let him make it out.

(Document handed to witness.)

Mr. BOGGS. Yes, that is what it says here. That is all I can tell you about it.

Mr. MOSER. You don't have any reason for doubting it, do you?

Mr. BOGGS. No, sir; I sure don't.

Mr. MOSER. It is based on information you supplied him, is it not?

Mr. BOGGS. That's correct.

Mr. MOSER. And the net income was \$4,213.66; is that correct?

Mr. BOGGS. That is what he has got down here.

Mr. MOSER. Now, let us turn to 1946; will you tell me your gross income for 1946?

Mr. BOGGS. \$81,168.99.

Mr. MOSER. Is that gross?

Mr. BOGGS. Yes.

Mr. MOSER. \$81,168.99; is that correct?

Mr. BOGGS. It is.

Mr. MOSER. That represents a lot of cesspools.

Mr. BOGGS. Yes, sir.

Mr. MOSER. Septic tanks.

Mr. BOGGS. It ain't all that.

Mr. MOSER. Now, 1947; we want the gross income for that year.

Mr. ELLIS. Do you want the net for 1946?

Mr. MOSER. No.

Mr. BOGGS. \$93,060.75.

Mr. MOSER. \$93,060.75?

Mr. BOGGS. Yes.

Mr. MOSER. 1948; the figure is \$99,419.70? Is that correct?

Mr. BOGGS. That's correct.

Mr. MOSER. 1949; it is \$86,700.77; is that correct?

Mr. BOGGS. That's correct.

Mr. MOSER. Gross. In 1950 the gross income was \$111,079.26?

Mr. BOGGS. That's correct.

Mr. MOSER. That is the gross income. The total for those 6 years, 1945 through 1950, we have added it up and it comes to \$502,529.20.

Earlier in your testimony, Mr. Boggs, you told us approximately the number of septic tanks you installed each year?

Mr. BOGGS. Yes.

Mr. MOSER. You installed about 15 a month at approximately \$81 apiece; so 15 times 81 would be \$1,215 a month gross income for the installing of septic tanks?

Mr. BOGGS. That's right.

Mr. MOSER. If you multiply that by 12 you get \$14,585 a year; so that would be an estimated average; and if you multiply that by the 6 years that we have talked about here, you get a total gross income from this installation of septic tanks of \$87,510, leaving a difference of approximately \$424,000?

Mr. BOGGS. Yes.

Mr. MOSER. You testified that your business also involves some installation of other things?

Mr. BOGGS. Yes, sir; sometimes.

Mr. MOSER. How do you account for the difference of \$400,000?

Mr. BOGGS. I just told you, Mister, approximately, because I can't just sit here and guess at just what we do and everything; I couldn't do that. Sometimes you will get sewer jobs. Now, we get sewer jobs that run three or four thousand, and there isn't a septic tank installed; it isn't a septic tank in it.

Mr. MOSER. When you receive your money for the installation of a septic tank in what form is it paid to you?

Mr. BOGGS. By check, mostly.

Mr. MOSER. What do you do with the check, deposit it your bank account?

Mr. BOGGS. Sure.

Mr. MOSER. You deposit the check in your bank account?

Mr. BOGGS. Sure.

Mr. MOSER. Does all of your income come from checks?

Mr. BOGGS. What did you say?

Mr. MOSER. Does all of your income come in the form of checks?

Mr. BOGGS. Mostly, yes, sir.

Mr. MOSER. Practically all of it?

Mr. BOGGS. Once in awhile you get somebody that owes you a two or three dollar bill. They pay it. I don't know.

Mr. MOSER. You furnished us with your bank statement on the Dania Bank for a number of months. I have before me the one for November 1949, showing only two deposits, one for \$3,724.35, and one for \$1,098; that sounds all right, does it?

Mr. BOGGS. You couldn't prove it by me.

Mr. MOSER. And in the month of December you only had two deposits, one for \$3,580 and one for \$5,504; do those figures sound all right?

Mr. BOGGS. I can't tell you if they sound all right, Mister.

Mr. MOSER. A septic tank costs \$81?

Mr. BOGGS. Not all of them now.

Mr. MOSER. But approximately?

Mr. BOGGS. Yes; approximately.

Mr. MOSER. I should think I would find some deposits of \$81 or \$100, some small deposits. The only deposits I find are very large amounts; how do you account for that?

Mr. BOGGS. It could be all your big jobs come in in one month. You know, there is a lot of these small houses you wait 90 days on your money; these FHA houses, until they get approved, and you are going to take your one contractor that builds more than one house, and we don't bill him with each and every septic tank; we maybe put in 25, 15, 10, or maybe 5, and bill him with it. We don't bill him with each septic tank individually.

Mr. MOSER. Have you received any money from any source besides this?

Mr. BOGGS. No, sir.

Mr. MOSER. Our figures indicate that you have underestimated your income by one-fifth your gross income. It is shown by the income tax returns that it is five times the amount you estimated it to be on the basis of the number of septic tanks you sold.

Mr. BOGGS. I told you approximately. I didn't tell you anything accurate, because I don't keep my books, and I want to tell you that any of my records are available to you at any time. You're glad to look at them, you or anybody.

Mr. MOSER. All right, Mr. Boggs, that is all I want to ask you.

(Witness excused.)

The CHAIRMAN. I have a telegram from a citizen of Miami that should be read in accordance with the committee's policy. It is addressed to the chairman and reads as follows:

Yesterday former Sheriff Jimmy Sullivan testified that his office raided a place on Northwest Twenty-seventh Avenue between One Hundred and Sixth and One Hundred and Seventh Streets on a gambling complaint and made arrests. I operate a filing station, the only building on Northwest Twenty-seventh Avenue between One Hundred and Sixth and One Hundred and Seventh Streets. I have never been involved in gambling and my place has never been raided. My lease may be terminated by the oil company unless this misstatement is corrected. I would appreciate your reading this telegram into the record.

Mrs. JAMES A. COOPER.

We are very glad to do that in compliance with the request.

Mr. MALONE. Mr. Chairman, may I speak a moment? I am Frank Malone, former editor of the Morning Mail. You said yesterday, Mr. Chairman, and I heard you on television say that if anyone's name was brought into this hearing who had not been subpoenaed to appear here they would be allowed to testify.

The CHAIRMAN. That is the policy of the committee.

Mr. MALONE. I would like to do that, if I may, since my name has been brought into the hearing by Mr. Voiler and Mrs. Carroll.

The CHAIRMAN. All right, sir. Will you step forward and be sworn?

Do you before Almighty God swear that the testimony you will give will be the truth, the whole truth and nothing but the truth?

Mr. MALONE. I do.

TESTIMONY OF FRANCIS P. MALONE, MIAMI, FLA.

The CHAIRMAN. Your full name, please?

Mr. MALONE. Francis P. Malone.

Mr. MOSER. Mr. Malone, you have asked to come here and testify?

Mr. MALONE. Yes, sir. I have no subpoena.

Mr. MOSER. Where do you live?

Mr. MALONE. 893 Northeast Eighty-second Street, Miami, Fla.

Mr. MOSER. Are you a friend of Mr. Voiler?

Mr. MALONE. I am.

Mr. MOSER. An intimate friend?

Mr. MALONE. Pardon me?

Mr. MOSER. An intimate friend?

Mr. MALONE. I have known Mr. Voiler for 15 or 16 years.

Mr. MOSER. All right. You want to make a statement, do you?

Mr. MALONE. I do, in connection with the insinuation this morning on an editorial concerning Frank Costello. It was that the editorial was written because I knew Costello or that some influence that Costello might have had on me caused me to write the editorial. That is untrue.

The CHAIRMAN. Did you write the editorial?

Mr. MALONE. I wrote the editorial.

The CHAIRMAN. Do you desire to say on what you based it?

Mr. MALONE. The editorial was based—I told your Mr. Jackson, of your committee, when he interviewed me at my home a week ago, that the editorial was written with my tongue in my cheek.

Mr. MOSER. That the editorial was written with your tongue in your cheek?

Mr. MALONE. Absolutely; and I repeat that. At the time the editorial was written the other two daily newspapers in Miami were making a great mystery of the fact that Frank Costello was in the Greater Miami area. As I told Mr. Jackson, one would think from the air of mystery created he had come here to poison the waterworks or blow up the docks. Perhaps he had; I don't know. But when I said I did believe that any citizen of the United States (the United States is not a police state) has the right to travel freely within its borders, whether Mr. Costello came to Miami, whether he was in Miami, I do not know of my own knowledge; whether he came to commit any crime I do not know; but, as I say, the editorial was written with my tongue in my cheek.

I have been a newspaperman for 36 years. I have worked on newspapers in many parts of the country. My reputation as a newspaperman is not that of one who associates with racketeers or hoodlums. I wish to make that clear.

The CHAIRMAN. All right, Mr. Malone. Thank you.

Mr. MALONE. Thank you, Mr. Chairman.

(Witness excused.)

The CHAIRMAN. I desire to make another statement. Since we convened in this afternoon's session a telegram has been received, addressed to the chairman, and with the name affixed to it, the Governor of Florida, Fuller Warren.

The gist of it is: It undertakes to answer or respond to the itemized statements made in the statement read by the chairman at yesterday's meeting. The telegram will be filed in the record. And that brings me to the announcement which we desire to make concerning our attitude in connection with the Governor of the State. It is as follows [reading]:

As was indicated in our statement during Thursday's session we have thought it desirable to have Governor Warren tell us what he knows concerning matters within the scope of our investigation. An invitation to the Governor was based

on the belief that he possessed desired information bearing on subjects under inquiry.

But since the beginning of these hearings the Governor has caused to be published in the press a statement indicating that he does have such information. An Associated Press dispatch appeared on the first page of a local newspaper, issue of Friday, June 22. Therein he makes accusation that a large sum of money was improperly passed to an officer of the Greater Miami Crime Commission which relates to widespread gambling operation and which was to exert influence on litigation, according to the Governor.

Without indicating any opinion as to the truth or falsity of the accusation, the fact is that the subject matter itself is one that our committee would be interested to hear about. So the Governor by his own statement admits the correctness of our assertion that he possessed information which is relevant here.

We came to Florida in the hope that the Governor would see fit to give us here any data he has. Unfortunately our three invitations have been refused. In fact, the Governor has not even deigned to communicate with the committee, the chairman or the staff. (Except as might appear from this telegram, a telegram purportedly signed by the Governor, although we have no further information than that.)

The only course left open to us is to take other means to secure from the Governor the information he possesses. Accordingly I will issue a subpoena for Gov. Fuller Warren to appear in Washington, D. C. The date for the hearing is being set for July 9.

(A deputy marshal stepped forward.)

The CHAIRMAN. You are the United States marshal?

DEPUTY MARSHAL. Deputy marshal.

The CHAIRMAN. But you act for and on behalf of and with the full authority of the United States marshal?

DEPUTY MARSHAL. Yes, sir.

The CHAIRMAN. I hand you herewith a subpoena directed to the Governor of Florida requesting his appearance at the time mentioned in the subpoena in the District of Columbia, Washington, D. C.

(Thereupon, the said document was handed to the United States deputy marshal.)

EXHIBIT No. 2

THIS DEED, made this 31st day of December, in the year 1949, by ETHEL G. SULLIVAN and JAMES SULLIVAN, her husband, of the City of Miami, State of Florida.

WITNESSETH that for and in consideration of the sum of ten dollars, and other good and valuable consideration, the receipt of which is hereby acknowledged, the said Ethel G. Sullivan and James Sullivan, her husband, do hereby grant and convey unto THOMAS A. RICE and RUTH M. RICE, his wife, of Harford County, State of Maryland, all that certain lot, piece or parcel of land situate in the Town of Aberdeen, in the Second Election District of Harford County, which said lot fronts forty-seven and one-half (47 1/2) feet on the westerly side of Bel Air Avenue, with a depth westerly therefrom of two hundred and ten (210) feet to Buchanan Alley there laid out. The improvements thereon being known at present as No. 204 W. Bel Air Avenue, being the same and all the land as described in a deed dated September 16, 1949 from Richard A. New and wife to Ethel G. Sullivan and recorded among the land records of Harford County in Liber G. H. G. No. 334, folio 326.

TOGETHER with the buildings and improvements thereon and the rights, roads, ways, waters, privileges and appurtenances thereto belonging or in any wise appertaining.

TO HAVE AND TO HOLD unto the said THOMAS A. RICE and RUTH M. RICE, his wife, as tenants by the entirety, their heirs and assigns, forever in fee simple.

AND the said grantors do hereby covenant to warrant specially the lands and premises herein described and intended to be conveyed, and to execute such other and further assurances thereof as may be necessary or requisite.

AS WITNESS our hands and seals:

TEST:

Gladys F. New
Gladys F. New

Ethel G. Sullivan
Ethel G. Sullivan (M.)

James Sullivan
James Sullivan (M.)

LIBER 337 PAGE 78

STATE OF FLORIDA, CITY OF MIAMI, Sec.

I HEREBY CERTIFY, that on this 28 day of November, in the year 1949, before me, the subscriber, a Notary Public of the State of Florida, City of Miami, duly commissioned and qualified, personally appeared ETHEL G. SULLIVAN and JAMES SULLIVAN, her husband, and acknowledged the foregoing deed to be their act and deed.

AS WITNESS my hand and Notarial seal:

TRANSFERRED

CHARLES H. HARTMAN

CLERK

Betty Jane Davis
 Notary Public
 My Comm. Exp. 12-31-50
 My Office: 1111 Biscayne Blvd., Miami, Fla.

Betty Jane Davis

ALL ATTESTED
SECRETARY OF STATE337-77-246
Dec 2 2 46 PM '49

Land Records
 Section 1 & 2, Block 1
 1111 Biscayne Blvd., Miami, Fla.



EXHIBIT No. 3

WARRANTY DEED
SHORT FORM WITH RELINQUISHMENT

DEED FORM R & S

Manufactured and for sale by The H. & W. B. Drex Company
Jacksonville, Florida

LIBER 350 PAGE 36

This Deed, Made the 6TH day of November A. D. 1950, by

ETHEL G. SULLIVAN and JAMES SULLIVAN, her husband,

of the County of Dade, State of Florida
hereinafter called the grantors, toTHOMAS A. RICE and RUTH M. RICE, his wife, whose address is
Aberdeen, Maryland
hereinafter called the grantee s

Witnesseth, That the said grantor s, in consideration of Ten Dollars (\$10.00) and

other good and valuable consideration-----~~Refused~~the receipt whereof is hereby acknowledged, do give, grant, bargain, sell, alien, remise, re-
lease, enfeoff, convey and confirm unto the said grantee s and their heirs and assigns
in fee simple, the lands situate in Harford County, State of ~~XXXX~~ Maryland
as follows:

All that certain lot, piece or parcel of land situate in the Town of Aberdeen, in the Second Election District of Harford County, which said lot fronts forty-seven and one-half (47½) feet on the westerly side of Bel Air Avenue, with a depth westerly therefrom of two hundred and ten (210) feet to Buchanan Alley there laid out. The improvements thereon being known at present as No. 204 W. Bel Air Avenue; being the same and all the land as described in a deed dated September 16, 1949 from Richard A. Neu and wife to Ethel G. Sullivan and recorded among the Land Records of Harford County in Liber G. R. G. No. 334, folio 326; together with the buildings and improvements thereon and the rights, roads, ways, waters, privileges and appurtenances thereto belonging or in any wise appertaining.

THIS DEED IS FOR CORRECTION OF THAT CERTAIN DEED RECORDED IN DEED
LAND RECORD BOOK 337 G. R. G., page 77.

To Have and to Hold the same together with the hereditaments und appurtenances, unto
the said grantee s, and their heirs and assigns in fee simple.

And the said grantor s, for themselves and their heirs and legal
representatives, covenant with said grantee s, their heirs, legal representatives and
assigns: That said grantor s are indefeasibly seized of said land in fee simple; that
said grantor s have full power and lawful right to convey said lands in fee simple, as
aforesaid; that it shall be lawful for said grantee s, their heirs, legal representatives
and assigns, at all times peaceably and quietly to enter upon, hold, occupy and enjoy said land;
that said land is free from all encumbrances; that said grantor s, their heirs and legal
representatives, will make such further assurances to perfect the fee simple title to said land in
said grantee s, their heirs, legal representatives and assigns, as may reasonably be re-
quired; and that said grantor s do hereby fully warrant the title to said land and will
defend the same against the lawful claims of all persons whomsoever.

Witness the hand s and seal s of said grantor s the day and year first above written.

Signed, Sealed and Delivered in the Presence of:

David W. Hall
David W. Hall

Verta A. Smith
Verta A. Smith

Ethel G. Sullivan
James Sullivan
James Sullivan

Clearly in original name
V. A. Smith

LIBER 350 PAGE 37

State of Florida.

County of DADE

I Hereby Certify, That this day in the next above named State and County before me, an officer duly authorized and acting, personally appeared

Ethel G. Sullivan and James Sullivan, her husband
to me well known and known to me to be the individual^s described in and who executed the foregoing deed, and they acknowledged then and there before me that they executed said deed.

And I Further Certify, That the said Ethel G. Sullivan known to me to be the wife of the said James Sullivan on a separate and private examination, taken and made in the above named State and County by and before me, separately and apart from her said husband, did this day acknowledge before me, an officer authorized to take acknowledgments of deeds, that she executed the foregoing deed freely and voluntarily and without any compulsion, constraint, apprehension or fear of or from her said husband.

Witness my hand and official seal at Miami this 6th day of

November

A. D. 19 50.

RECEIVED FOR RECORD
RECORDED IN LIBER 350
NO 350 FOLIO 36 ONE OF THE

Nov 13 2 12 PM '50

Land RECORDS HARFORD
COUNTY, MD. & EXAMINED
PER GARLAND R GREER.
CLERK

Davina A. Selby

Notary Public, State of Florida
My commission expires Nov 27, 1953
Bonded by American Surety Co of N.Y.

My commission expires

A. D. 19

STATE OF MARYLAND, COUNTY OF HARFORD, SCT:

I HEREBY CERTIFY that the foregoing is a true copy of the Deed as taken from Liber G.R.G. No. 350 Folio 36, one of the Land Records of Harford County.

In Testimony Whereof I hereunto set my hand and affix the Seal of the Circuit Court for Harford County this 13th day of June, 1951.

Garland R. Greer
Clerk of the Circuit Court for Harford County

EXHIBIT No. 5

Number	Name	Address
5-3530	Trocadero Restaurant	301 23d St., Miami Beach. BIF-HC.
	Billed to Harry O. Voiler.	
5-5170	Palm Court Hotel	309 23d St., Miami Beach. BIF-HC.
	Billed to Palm Court Hotel, Inc.	
5-5287	Palm Court Tailoring Co.	313 23d St., Miami Beach. BIF-HC.
	Billed to Palm Court Hotel, Inc.	
58-6566	Palm Court Hotel	309 23d St., Miami Beach. PBX-TK.
	Billed to Palm Court Hotel, Inc.	
58-6570	Palm Court Hotel	309 23d St., Miami Beach. PBX-TK.
	Billed to Palm Court Hotel, Inc.	
5-0267	George McElroy	309 23d St., Miami Beach. BIF-HC.
	Billed to George McElroy.	
58-3511	Palm Court Hotel	309 23d St., Miami Beach. BIF-HC.
	Billed to Palm Court Hotel, Inc.	
5-4565	Liberty Bridge Club	309 23d St. (room 201) Miami Beach.
	Billed to Ruby Lazarus.	BIF-HC.
58-6580	Palm Court Hotel	309 23d St., Miami Beach. PBX-TK.
	Billed to Palm Court Hotel, Inc.	
5-7021	Jack's, fruit shippers	311 23d St., Miami Beach. BIF-HC.
	Billed to Mabel M. Cummings.	
5-3202	(NL) Mary's Flower Shop	317 23d St., Miami Beach. BIF-HC.
	Billed to Alice Hodge.	
58-4911	Palm Court Hotel	309 23d St., Miami Beach. BIF-HC.
	Billed to Palm Court Hotel, Inc.	

RESULT OF PREMISE VISIT TO CHECK FOR LEGITIMATE INSTALLATION

MARCH 2, 1950.

On this date, the undersigned disconnected and removed the services and equipment on the attached list which were located on the premises of the Palm Court Hotel, 309 Twenty-third Street, Miami Beach.

After discovery by the plant department that service was being illegally used at the Palm Court Hotel address, an investigation was made to determine the extent of the illegal services.

All services removed on this date were found to have been unquestionably moved without the company's knowledge, illegally wired, and concentrated in one room of the hotel.

H. Y. COUCH,
Miami Beach Manager.

RALPH BEERS,
Miami Beach Repair Supervisor.

Copied verbatim from telephone company records.

RALPH MILLS.

On July 25, 1950, the undersigned visited the premises of the Palm Court Hotel, 309 Twenty-third Street, Miami Beach, Fla., in connection with the reported illegal move and attachments on services at that address.

Our investigation revealed the following telephone services which had been illegally moved and on which foreign attachments were discovered:

Telephone No. 5-7018, Sandi Barber Shop, 305 Twenty-third Street; Business individual line service

Telephone No. 5-0579, Julian Arfe, 309 Twenty-third Street, room 205; residence individual line service

Telephone No. 58-3787 (NL), Palm Court Hotel cigar stand, 309 Twenty-third Street; business individual line service

Telephone No. 5-3500 (NL), DeMarlos Beauty Parlor, 309 Twenty-third Street; business individual line service

Telephone No. 5-9911, Palm Court Hotel, 309 Twenty-third Street; business individual line service

Telephone No. 5-3585 (NL), Atlas Radio Co., 315-A Twenty-third Street; business individual line service

Telephone No. 5-0529, Twenty-third Street Radio Co., 315-A Twenty-third Street; business individual line service

Telephone No. 5-6910 (NL), Helen Penso, 323 Twenty-third Street; business individual line service

Telephone No. 5-1009 (NL), Palm Court Hotel, 309 Twenty-third Street; business individual line service

Telephone No. 5-1630 (NL), Palm Court Hotel, 309 Twenty-third Street; business individual line service

Telephone No. 5-4908 (NL), Palm Court Hotel, 309 Twenty-third Street; business individual line service

As a result of our investigation, the foregoing services were disconnected on July 25, 1950, and instrumentalities and equipment removed.

H. Y. COUCH,
Miami Beach Manager.

H. D. CANNON,
Miami Beach Installation Supervisor.

Copied verbatim from telephone company records.

RALPH MILLS.

MIAMI, FLA., ADMINISTRATION

Removal of telephone service, Sandi Barber Shop, Julian Arafe, Palm Court Hotel Cigar Stand, DeMarlos Beauty Parlor, Atlas Radio Co., Twenty-third Street Radio Co., Helen Penso, Palm Court Hotel (4).

Mr. A. B. DOOLEY,
Florida Manager, Jacksonville, Fla.

DEAR MR. DOOLEY: The following telephone services were discontinued on Miami Beach on July 25, 1950, as a result of the discovery of illegal moves and attachments in violation of our tariff regulation.

Telephone No. 5-7018. Business individual flat-rate line. Listed for Sandi Barber Shop and billed to John Sandi. Located at 305 Twenty-third Street. Service connected October 15, 1945. Violation found: Illegal attachments and illegal move of service—service disconnected and instrumentality removed

Telephone No. 5-0549. Residence individual flat-rate line. Listed and billed to Julian Arafe. Located at 309 Twenty-third Street, room 205. Service connected December 9, 1943. Violation found: Illegal attachments and illegal move of service—service disconnected and instrumentality removed

Telephone No. 5-3787. Business individual flat-rate line. A nonlist number in the name of Palm Court Hotel cigar stand, and billed to Palm Court Hotel, Inc. Located at 309 Twenty-third Street. Service connected June 12, 1947. Violation found: Illegal attachments and illegal move of service—service disconnected and instrumentality removed

Telephone No. 5-3500. Business individual flat-rate line. A nonlist number in the name of DeMarlos Beauty Parlor and billed to Sam DeMarlos. Located at 309 Twenty-third Street. Service connected June 12, 1947. Violation found: Illegal attachments and illegal move of service—service disconnected and instrumentality removed

Telephone No. 5-3500. Business individual flat-rate line. A nonlist number in the name of DeMarlos Beauty Parlor and billed to Sam DeMarlos. Located at 309 Twenty-third Street. Service connected October 23, 1945. Violation found: Illegal attachments and illegal move of service—service disconnected and instrumentality removed

Telephone No. 5-9911. Business individual flat-rate line. Listed and billed to Palm Court Hotel. Located at 309 Twenty-third Street. Service connected February 26, 1947. Violation found: Illegal attachments and illegal move of service—service disconnected and instrumentality removed

Telephone No. 5-3585. Business individual flat-rate line. A nonlist number in the name of and billed to Atlas Radio Co. Located at 315-A Twenty-third Street. Service connected October 23, 1945. Violation found: Illegal attachments and illegal move of service—service disconnected and instrumentality removed

Telephone No. 5-0529. Business individual flat-rate line. Listed for Twenty-third Street Radio Co. and billed to Harry Sternberg. Located at 315-A Twenty-third Street. Service connected January 29, 1944. Violation found: Illegal attachments and illegal move of service—service disconnected and instrumentality removed

Telephone No. 5-6910. Business individual flat-rate line. A nonlist number in the name of and billed to Helen Penso. Located at 323 Twenty-third Street. Service connected February 10, 1944. Violation found: Illegal attachments and illegal move of service—service disconnected and instrumentality removed

Telephone No. 5-1009. Business individual flat-rate line. A nonlist number in the name of Palm Court Hotel and billed to San Penso. Located at 309 Twenty-third Street. Service connected August 2, 1945. Violation found: Illegal attachments and illegal move of service—service disconnected and instrumentality removed

Telephone No. 5-1630. Business individual flat-rate line. A nonlist number in the name of Palm Court Hotel and billed to Palm Court Hotel, Inc. Located at 309 Twenty-third Street. Service connected June 19, 1947. Violation found: Illegal attachments and illegal move of service—service disconnected and instrumentality removed

Telephone No. 5-4908. Business individual flat-rate line. A nonlist number in the name of and billed to Palm Court Hotel. Located at 309 Twenty-third Street. Service connected June 6, 1947. Violation found: Illegal attachments and illegal move of service—service disconnected and instrumentality removed

Yours very truly,

_____, District Manager.

EXHIBIT No. 6

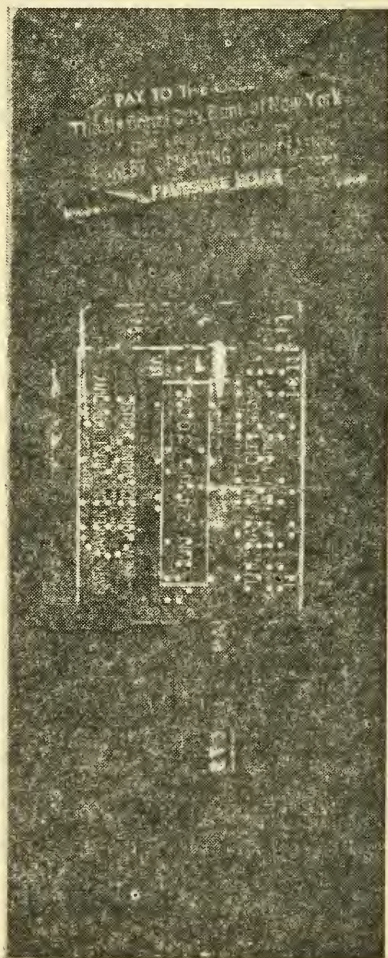
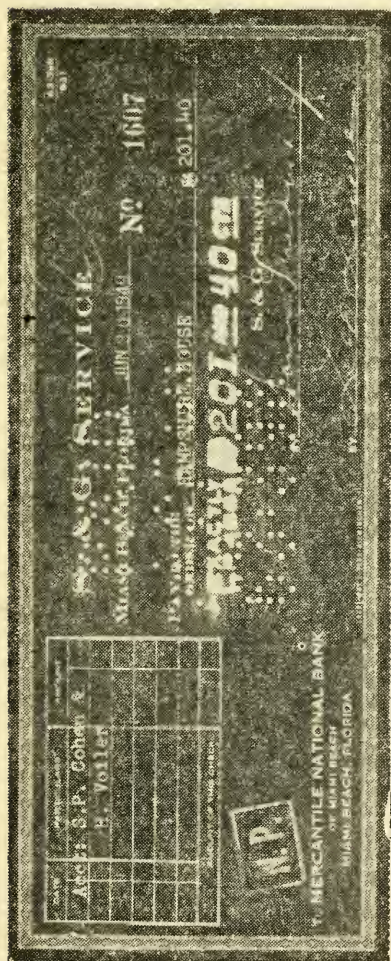


EXHIBIT No. 7

PROMISSORY NOTE—\$125,000

JANUARY 31, 1950.

One year after date Oliver Publishing Corp., a Florida corporation, Harry O. Voiler and Louise L. Voiler promise to pay to the order of Oreetta Yelverton, of Dade County, Fla., the sum of \$125,000 with interest at the rate of 3 percent per annum until maturity.

This note is secured by all the assets that the Oliver Publishing Corp. owns such as the building located at 1521 Alton Road and all the contents within its confines but prior to a first chattel mortgage on the machinery amounting to \$25,000, and \$50,000 on the building, and is subject to all of the terms and covenants therein contained.

It is further understood and agreed that the Oliver Publishing Corp. and Harry O. Voiler and Louise L. Voiler have made no other commitments nor shall the Oliver Publishing Corp. and Harry O. Voiler and Louise L. Voiler make any other obligations or sign any promissory notes that will in any way jeopardize the assets of said corporation until this note has been fully redeemed to the complete satisfaction of Oreetta Yelverton of Dade County, Fla.

It is further agreed that the 50 shares of stock which is the capital stock of the Oliver Publishing Corp. shall be put up as collateral with Oreetta Yelverton as further good faith on the part of Harry O. Voiler and Louise L. Voiler and the Oliver Publishing Corp. in redeeming its pledge. It is also understood that there are no bonds of any kind issued or outstanding by the Oliver Publishing Corp., a Florida corporation.

And whereas the right is given by the Oliver Publishing Corp. and Harry O. Voiler and Louise L. Voiler to Oreetta Yelverton at the redemption of this note by the Oliver Publishing Corp. and Harry O. Voiler and Louise L. Voiler to grant to Oreetta Yelverton the privilege of purchasing 25 shares of the capital stock of the Oliver Publishing Corp. which now consists of 50 shares for the sum of \$125,000, giving her an equal share in the ownership and management of the Oliver Publishing Corp., a Florida corporation.

OLIVER PUBLISHING CORP.,
By HARRY O. VOILER, *President*.
LOUISE L. VOILER, *Secretary*.

CHattel Mortgage

This indenture, made this 31st day of January 1950 between the Oliver Publishing Corp., a Florida corporation, Harry O. Voiler and Louise L. Voiler, all of Miami Beach, Fla., called the mortgagors, and Oreetta Yelverton of Dade County, Fla., called the mortgagee.

Witnesseth, That said mortgagors for and in consideration of the sum of \$125,000 in hand paid by the said mortgagee, the receipt of which is hereby acknowledged, have granted, bargained, and sold to the said mortgagee, the following described property, situated, lying, and being located in the mortgagors' printing an publishing plant located at 1521 Alton Road, better known as the Morning Mail Building, in the city of Miami Beach, Dade County, Fla., to wit:

COMPOSING ROOM EQUIPMENT

Model 8 Linotype machine, serial No. 43676, with motor
Model 8 Linotype machine, serial No. 50905R, with motor
Model 31 Linotype machine, serial No. 60939, with motor (new machine)
Ludlow typograph machine, serial No. 3648, cabinets and mats
El Rod slug-casting machine, F-1736-E (new)
Rouse vertical miterer, electric 1069, serial No. 2664
Rouse hand miterer
Hamilton electric storage cabinet, 20-page (new)
Hammond glider saw, model G-4 (new)
ATF saw, model S-B, serial No. 518
Rapid Margach saw
Vandercook composing room cylinder proof press:
17 by 32 inch base
Galley size
20 turtles and 20 chases
Blower for cleaning machines

Approximately 200 galleys, galley-storage cabinets, and make-up tables and banks
Tools and miscellaneous equipment for maintenance and complete use of all
equipment

PRESS EQUIPMENT

Hoe 48-page web perfecting press No. 2401
Chandler & Price 12 by 18 new series job press, serial No. 50315, with counter,
Miller feeder, and motor
Motor—generator set Cutler-Hammer :
75 horsepower, boxes included
5 horsepower, boxes included
Challenge-Diamond 30-inch power cutter, serial No. 22516, with hand clamp,
extra knife, steel measuring tape, and motor
Rollers, all rubber, 75-m47, new

STEREOTYPE EQUIPMENT

Hoe heavy-duty 2-speed matrix roller, model 23, serial No. 790, with motor and
two tables, humidor cabinet for mats
Hoe No. 5 single-screw flat shaver, serial No. 428, with motor
Hoe single-page nonadjustable curved router, with motor
Hoe curved shaver with automatic plate, ejector, with motor
Hoe 2-ton stereotype metal furnace, gas burner, blower, single cooled equipoise
curved casting mold
Hoe 8-column, 4-clamp lock-up flat casting mold with one set 3-part gages
Hoe cutting-off cylinder for beveling edges of curved plates, A.S. motor
Hoe finishing cylinder for type $\frac{7}{16}$ inch thick
Hoe No. 1 size combination monorail saw table and trimmer, with motor
Hoe gas-heated combined curved and flat scorcher
Motor generator set (starting boxes included)
Surface combustion remelting furnace, model M-446
Metal truck, pneumatic tires
20,000 pounds metal

MAILING EQUIPMENT

Bunn package tying machine, serial No. 10289 (new).
Toledo style 790-B postal sale, serial No. 534225.
Weld-Bilt electric lift, serial No. E-H688, 1,500-pound capacity.

And the said mortgagors hereby fully warrant the title to said property and
will defend the same against the lawful claims of persons, with the exception
of Max Orovitz, of Miami Beach, Fla., who retains a first mortgage of \$25,000
on all the contents herein described but not the building itself.

Provided always that if said mortgagors shall pay to the said mortgagee a
certain promissory note which reads as follows:

PROMISSORY NOTE—\$125,000

MIAMI BEACH, FLA., *January 31, 1950.*

One year after date, Oliver Publishing Corp., a Florida corporation, Harry O.
Voiler and Louise L. Voiler promise to pay to the order of Orecta Yelverton, of
Dade County, Fla., the sum of \$125,000 with interest at the rate of 3 percent
per annum until maturity.

This note is payable at the Mercantile National Bank of Miami Beach, Fla.,
for value received without any relief from valuation or appraisal laws.
Payment of all or any part of the principal and interest of this note may be
made at any time, but if not paid at maturity the note shall bear the legal rate
of interest and attorney's fee.

The drawers and endorers severally waive presentment for payment, notice
of nonpayment, protest and notice of protest and diligence in bringing suit
against any or all of them.

This note is secured by chattel mortgage on all assets that the Oliver Pub-
lishing Corp. owns such as the building located at 1521 Alton Road and all the
contents within its confines.

OLIVER PUBLISHING CORP.,
HARRY O. VOILER, *President.*
LOUISE L. VOILER, *Secretary.*

EXHIBIT No. 8

UNITED STATES DEPARTMENT OF JUSTICE,
FEDERAL BUREAU OF INVESTIGATION,
Washington, D. C., June 16, 1951.

The following is the record of FBI No. 506958:

Contributor of fingerprints	Name and number	Arrested or received	Charge	Disposition
USM, Chicago, Ill...	Martin Accardo, No.	Apr. 28, 1931	Sec. 88, title, 18, NPA.	Pending.
PD, Chicago, Ill.....	Martin Accardo, No. 240.	-----do-----	Suspect in a prohibition case.	
Do.....	Martin Accardo, No. C-33656.	Nov. 16, 1931	Violated Prohibition Act.	4½ years and \$1,500.
USP, Leavenworth, Kans.	Martin Accardo, No. 41445.	Apr. 23, 1932	Prohibition — possession, sale, transportation.	2 years; Dec. 14, 1933, expired.

Description: Color, white; sex, male; occupation, chauffeur; birthplace, Italy; age, 32 years in 1932; height, 5 feet 8½ inches; weight, 167 pounds; eyes, ch. lt.; hair, black; complexion, medium dark; build, medium muscular.

EXHIBIT No. 9

ORDINANCE NO. 1095 Sect. 1, 2, 3, & 4	DEPARTMENT OF PUBLIC SAFETY DIVISION OF POLICE	REGISTRATION NUMBER 13560
FOR REFERENCE SEE FILE	FIREARMS REGISTRATION CITY OF MIAMI, FLORIDA	DATE Oct. 31, 1949

NAME OF PURCHASER (Please Print)				ADDRESS			
<i>Martin Accardo</i>				<i>1217 Granada Blvd. Local Habers, Fla.</i>			
COLOR-SEX	AGE	HEIGHT	WEIGHT	HAIR	EYES	COMPLEXION	
<i>USM</i>	<i>49</i>	<i>5' 8"</i>	<i>160</i>	<i>dk. Brown</i>	<i>Brown</i>	<i>dark</i>	
WHERE BORN		RESIDENT OF		TIME RESIDED THERE			
<i>Chicago</i>		<i>Local Habers, Fla.</i>		<i>1 year + ½</i>			
OCCUPATION				EMPLOYED BY			
<i>Retired</i>				<i>Retired</i>			
PURPOSE GUN DESIRED FOR				SIGNATURE OF PURCHASER			
<i>Home Protection</i>				<i>signed</i>			
GUN DESCRIPTION							

NAME OF MANUFACTURER		BUTT NUMBER	
<i>Colt</i>		<i>536463</i>	
CALIBER AND TYPE OF ARM		FRAME NUMBER	
<i>32 Police Positive</i>		<i>536463</i>	
COLOR AND BARREL LENGTH		MODEL	
<i>Blue 2"</i>		<i>Detective Special</i>	
NAME OF FIRM MAKING SALE		ADDRESS	
<i>John The Magic Man</i>		<i>300 E. Flagler St.</i>	

THIS IS TO CERTIFY THAT THE ABOVE NAMED PERSON HAS THIS DATE PURCHASED AND RECEIVED DELIVERY OF THE DESCRIBED FIREARM AND THAT ALL NUMBERS AND DESCRIPTION OF WEAPON AND INFORMATION OF PURCHASER ARE CORRECT.

DATE OF SALE 10-28-49 BY: Harry Burdick - D.S.
SIGNATURE OF CLERK

NOTE: This certificate must be mailed or delivered to the Bureau of Records, Miami Police Department, not later than the first Monday following the date of sale.

INDEXED BY:	FOR OFFICE USE
<i>D.</i>	<i>Oct. 31, 1949</i>

EXHIBIT No. 10

UNITED STATES DEPARTMENT OF JUSTICE,
FEDERAL BUREAU OF INVESTIGATION,
Washington, D. C., June 16, 1951.

The following is the record of FBI No. 104354:

Contributor of fingerprints	Name and number	Arrested or received	Charge	Disposition
PD, Detroit, Mich....	Harry Voiler, No. 11785.	(1)	Robbery, armed.....	Apr. 6, 1918, 15 years, Jackson.
SP, Jackson, Mich....	Harry Voiler, No. 11785.	Apr. 9, 1918	-----do-----	15 to 30 years.
St. H. of C. and Br. Pr., Marquette, Mich.	Harry Voiler, No. 2772.	Dec. 18, 1918	Robbery—armed with intent to kill if resist.	Do.
PD, Chicago, Ill.....	Harry Voiler, No. C-21771.	Mar. 23, 1930	G. P.-----	Apr. 22, 1930, bond forfeited, attempted murder; May 29, 1930, stricken off with leave to reinstate.
SO, Los Angeles, Calif.	Harry O. Voiler, No. 190289.	Sept. 19, 1933	Conspiracy to commit vagrancy.	Oct. 25, 1933, released.
PD, Burbank, Calif..	Harry Ozias Voiler, No. 216-A-3.	Nov. 3, 1933	Suspected of murder en route.	Nov. 6, 1933, delivered to Los Angeles County district attorney's office.
PD, Miami, Fla.....	Harry O. Voiler, No. 6584.	Feb. 21, 1934	Fugitive robbery for Los Angeles, Calif.	Held under \$10,000 bond.
SO, Miami, Fla.....	Harry O. Voiler, No. 021116.	Feb. 22, 1934	Fugitive, California, armed robbery.	Same notations.
PD, Miami Beach, Fla.	Harry O. Voiler, No. 449.	(2)		Same.
Do.....	Harry O. Voiler, No. 2595.	Dec. 19, 1937	(1) Violation Ordinance 426 (permitting construction work to be done on Sunday); (2) interfering with an officer.	\$25 and costs or 25 days and 5 days; suspended 5 days during G. B.
PD, Miami Beach, Fla.	Harry Voiler, No. 2595.	Dec. 30, 1937	Fugitive from justice from Los Angeles, Calif.	Remanded to J. P.
SO, Los Angeles, Calif.	Harry O. Voiler, No. 267981.	Jan. 21, 1938	Robbery-----	Jan. 24, 1938, released bond.
SO, Miami, Fla.....	Harry Ozias Voiler, No. 68134.	Nov. 24, 1944	Violated State Beverage Law.	Feb. 27, 1945, costs or 10 days C. J. paid
SO, Miami, Fla.....	Harry Voiler, No. 118185.	Nov. 15, 1950	Renting room for gambling purposes.	

¹ Arrival date not given (fingerprinted Jan. 5, 1918).² Criminal registration, Feb. 25, 1934.

As Harry Voiler, Cincinnati, Ohio, October 7, 1925, suspected person. No. 021116, SO, Miami, Fla., February 23, 1934, released on bond. No. 021116, SO, Miami, Fla., January 18, 1933, bond returned defendant on order county judge, case having been disposed of according to law.

Description: Color, white; sex, male; height, 5 feet 6 inches; weight, 182 pounds; complexion, fair; eyes, brown; hair, gray; build, medium; birth: November 6, 1891, New York or Rumania; occupation: Producer.

EXHIBIT No. 11

TALLAHASSEE, FLA., June 20, 1951.

Hon. HERBERT R. O'CONOR,
United States Senator From Maryland,
Biscayne Terrace Hotel, Miami, Fla.:

Governor Warren has telephoned from the beach where he is resting to ask me to send you the following message: "I have no personal information regarding 'relationships between organized criminals from other States infesting Florida,'

as stated in your telegram. Gambling, which had openly operated in Florida for more than 50 years, has been suppressed by my administration. As Governor of Florida, I renew my invitation to meet with your committee at the executive offices in Tallahassee, the capital of Florida, and the seat of its government."

LOYAL COMPTON, *Press Secretary.*

TALLAHASSEE, FLA., June 22, 1951.

HON. HERBERT R. O'CONNOR,

*Chairman, Senate Crime Investigating Committee,
Dade County Courthouse, Miami, Fla.:*

Yesterday afternoon, according to the press, you publicly read into the official record of the Senate Crime Investigating Committee a statement reciting that your committee would like to obtain from me information on the following matters:

1. Any knowledge of large contributions made to his 1948 campaign for Governor and whether any of these sums were to his knowledge received from gambling interests or gangster syndicates.

2. Whether commitments were made to those making these substantial contributions regarding tolerance of gambling operations.

3. Whether steps were taken after the election to carry out any such commitments.

4. Whether arrangements were made after the election to permit and control activities of the bookie race wire service coming into Florida.

5. Whether the Governor had any information regarding the relationship between the operation of rackets with an interstate aspect and the conduct of Florida law-enforcement officials subject to the Governor's constitutional powers.

6. What knowledge the Governor may have as to the penetration of Chicago, New York, and other out-of-State gangsters into legitimate businesses in Florida. Since you did not see fit to accept my invitation to come to Tallahassee, the capital of Florida, to discuss these matters with me publicly, I am taking this opportunity to publicly answer each of your questions so there can be no doubt in your mind or in the minds of the committee and the public what the answers are. Since your public statement was made a part of the official record of your committee I hope you will make my answers to your questions also a part of the official record. My answers are:

1. No gambler or gangster made any contribution to my campaign, so far as I know.

2. No commitments were asked and no commitments were made regarding tolerance of gambling in Florida by any contributor to my campaign or anyone else. The actions of my administration in stamping out gambling, which had openly operated for more than 50 years in Florida, and my record in suspending nine law-enforcement officers on charges of neglecting to enforce the gambling laws should be proof enough that no commitment was made.

3. No commitments were made, so none could be carried out.

4. I have no knowledge that any arrangements were made at any time to permit and control activities of the bookie race wire service coming into Florida. On the contrary, the antibookie bill, designed to destroy bookie race wire service coming into Florida, which had failed of passage in the 1945 session and the 1947 session of the Florida legislature, was passed with my active aid by the 1949 session of the legislature. I signed the bill into law, and it has been very effective in suppressing bookie gambling.

5. I have no knowledge of any relationship between the operation of rackets, whether interstate or intrastate, and the conduct of Florida law enforcement officials subject to the Governor's constitutional powers.

6. I have no knowledge of the penetration of any out-of-State gangsters, or local gangsters, into any legitimate businesses in Florida.

FULLER WARREN,
Governor of Florida.

1204-5-6 HUBBARD ALBERT D 12-10 ¹⁰² 75 *use* D 44699
 4-21 OUT 4-23 SPLIT
 1007 BISCAYNE BLDG MIAMI FLA FROM FOLIO *BN*
 4 59 PM PM HS TO FOLIO

The Blackstone
 MICHIGAN AVENUE • CHICAGO

LOCAL PHONE CALLS	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY	SUNDAY
MEMO.	DATE	EXPLANATION	AMT. CHARGED	AMT. CREDITED	BAL. DUE	ROOM NO.	
1	APR 21-49	ROOM	* 7.50			K#1204-	
2	APR 21-49	PHONE	* 0.12		* 7.62	K# • -	
3	APR 21-49	PAID		* 7.62	* 0.00	K#1204-	
4							
5							
6	APR 21-49	L.DIST.	* 3.19		* 3.19	#1204-	
7							
8							
9	APR 21-49	ACCT.		3.19	* 0.00	K# • -	
10							
11							
12							
13							
14							
15							
16							
17							
18							
19							
20	CITY LEDGER TRANSFER						
21	BLACKSTONE HOTEL Please transfer this account to my City Ledger Account.						
22							
23							
24			GUEST SIGNATURE				

REMARKS APPROVED *Cashier* TRANSFER TO CITY LEDGER

GUEST'S SIGNATURE _____

CHARGE TO _____

ADDRESS _____

APPROVED BY _____

1204-5-6 CRAIG R M
4-21 OUT 4-23
136 WE 1ST ST MIAMI FLA
4 59 PM PM HS

19-00 SPETT 17th

D 44698

FROM FOLIO

TO FOLIO

The Blackstone
MICHIGAN AVENUE CHICAGO

LOCAL PHONE CALLS							
	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY	SUNDAY
MEMO.							
	1	APR 21-49	B.SERV	AMT. CHARGED	AMT. CREDITED	BAL. DUE	ROOM No.
	2	APR 21-49	ROOM	* 2.04		* 2.04	#1205-
	3	APR 21-49	PAID	* 7.50	* 9.54	* 0.00	K#1204-
	4						
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	24						

1949 APR 21 PM 9 30
The Blackstone

REMARKS	TRANSFER TO CITY LEDGER
	GUEST'S SIGNATURE
	CHARGE TO
	ADDRESS
	APPROVED BY

PRESS OF THE NATIONAL CASH REGISTER CO. DAYTON, OHIO

EXHIBIT No. 18

EXCLUSIVE LISTING

Date: December 8, 1949.

THE KEYES COMPANY,
Miami, Miami Beach, and Coral Gables:

1. In consideration of your agreement to list and to use your efforts to secure a purchaser for the property described as 261 S.W. 30th Road, furnished, and your further agreement to advertise the property and list it with other real estate brokers in accordance with the program outlined below, I hereby give you for a period of 3 months from this date (and thereafter until this agreement is revoked by ten days' written notice delivered to you), the exclusive right and authority to sell the property at the following price and terms, or at any other price and terms acceptable to me:
Price: \$15,500.00. Terms: Cash above mortgage; or all cash. Interest on encumbrances, taxes, insurance premiums, and rents shall be adjusted pro rata at date of closing. Improvement liens are to be paid by me.

2. In case you secure a purchaser for the property, the usual and customary practice for the examination, curing title, and for closing the transaction shall apply. I agree to deliver to the purchaser a good and sufficient warranty deed,

free and clear of all liens and encumbrances except those which the purchaser shall assume as part of the purchase price and which are specifically detailed above.

3. For finding a purchaser for the above property :

A. I agree to pay the regular Realty Board commission of 5 percent of the sales price.

B. The commission is to be paid whether the purchaser be secured by you or me, or by any other person, at the price and upon the terms mentioned or at any other price or terms acceptable to me; or if the property is afterwards sold within three (3) months from the termination of this agency, to a purchaser to whom it was submitted by you or a cooperating broker during the continuance of the agency, and whose name has been disclosed to me.

C. In any exchange of this property, permission is given you to represent and receive commissions from both parties.

4. In consideration of this exclusive listing, The Keyes Co. agrees :

A. To carefully inspect my property and secure complete information regarding it.

B. To direct the concentrated efforts of its organization in bringing about a sale.

C. To advertise my property as it deems advisable in the local newspapers or other mediums of merit.

D. To furnish at all times additional information requested by any cooperating real-estate broker, and to assist cooperating brokers in closing a deal on my property when requested to do so.

E. To keep me informed through the salesman in charge as to the progress made toward the consummation of a deal.

5. In consideration of the above, I agree to refer to you all inquiries of brokers or others interested in my property.

6. As my agent, you are authorized to accept, receipt for and hold all money paid or deposited as a binder thereon and if such deposit shall be forfeited by the prospective purchaser, you may retain one-half of such deposit, but not exceeding the total amount of your commission as your compensation.

7. I understand that this agreement does not guarantee the sale of my property, but that it does guarantee that you will make an earnest and continued effort to sell same until this agreement is terminated.

OWNER :

J. A. SULLIVAN. [SEAL]

ETHEL SULLIVAN. [SEAL]

ACCEPTED BY :

THE KEYES COMPANY,
ARTHUR P. DEGMAN.

W. H. LEE, *Salesman.*

The words "I," "MY," or "ME" shall be considered plural when applicable.

EXHIBIT No. 20

Tuesday, October 2, 1945.

Mr. ERNEST VOLHART,
407 Title Building, Baltimore, Md.

My mother and father, Mr. and Mrs. Tredick Ford, of Perrynton, Md., have just forwarded me mortgage papers for \$7,000, which you made out for them.

It seems as though there has been quite a bit of mix-up in this transaction.

First, I wanted to help my parents as they have been carrying quite a burden on their shoulders for a good many years, struggling to keep up the interest on their \$7,000 mortgage which Mrs. Mami Mitchell, of Perrynton held.

I made a verbal agreement with my parents that I would purchase their farm for \$12,000 and that they could stay there as long as they live and that my father could raise his children or put in crops as he so desires. So I paid off that \$7,000 mortgage and we made an agreement that I would pay the \$5,000 balance to them in payments over a couple of years, but I was to have the say of operating the farm.

When I received your letters stating I was not to have any rights to the farm and no say in the operating of it I wrote my mother and told her that was not in the bargain and that we would cancel our agreement that I would hold the

mortgage for \$7,500 at 6 percent interest payable annually or semiannually but, that it could be applied to the principal every year.

I have put over \$1,000 improvements on the property which has increased the value almost double.

My husband wants the proper papers made out for \$7,500 for 10 years at 6 percent. I think the set-up would be very much like the mortgage Mrs. Mitchell held, and we are to receive the same papers she held.

When these papers are properly made out with the deed and insurance papers are forwarded to me, I will have my attorney to O. K. them and will have them properly sign.

Thanking you so much for the time and patience in this transaction.

Respectfully yours,

ETHEL SULLIVAN.

EXHIBIT No. 21

WHO'S THE BOGEYMAN?

The "rule or ruin" gang, in its ever desperate attempt to divert public attention and opinion from itself, screams in daily head lines of "hoodlum invasion" of the Greater Miami area.

The screaming head line today says that the top gangsters of the country are meeting in Miami to set gangster policy for the Nation.

The Miami Daily News said that Frank Costello and Tony Accardo are guests at Miami Beach hotels.

We at the Morning Mail are not as well acquainted with gangsters and hoodlums as, apparently, is the "rule or ruin" gang.

Who Tony Accardo is, we don't even know.

We don't know Frank Costello, except from what we have read about him in a rash of national magazine articles.

We do believe this * * * that we are not a police state.

Are we to halt people at our State borders to say, "You can't come into Florida until your credentials have been inspected and approved at the Herald Building on South Miami Avenue, or the News Tower on Biscayne Boulevard"?

What little we know about Frank Costello indicates that he is a gentlemanly person. He lives a quiet and, apparently, a life of rectitude. His donations to charities, not only in New York, but throughout the Nation, are a matter of record, despite his modest efforts to hide them.

We just don't believe that people should be hounded. If admission to our community, the right to live among us and to visit us is to be based on a person's past life, then our population would be damned slim.

There are many people who live among us and belong to the "better" clubs who, if they were judged for moral turpitude, wouldn't be around these parts.

We hold no brief for Frank Costello.

We do, however, insist, and it has long been the foundation of law in this country, that a man is innocent until he has been proven guilty. Up to now, Costello stands clear in the eyes of the law.

The inane, ridiculous furore that the Miami Herald and the Miami Daily News are kicking up today, with their screams for a Government investigation of gangsterism in Greater Miami, will die, as the season dies.

It always has!

It has always come down to one basic question * * * not whether the joints can run, but whose joints can run, and which newspaper controls the votes that come out of which joint.

We have no desire to be anything but a newspaper. We have no desire to control anyone's votes, nor will we ever attempt it.

As for Frank Costello, the Herald's and the News' "bogyman," we hope that while he is a guest at Miami Beach he enjoys our sunshine, our flowers, our myriad attractions.

The CHAIRMAN. Ladies and gentlemen, we have come to the end of the testimony that is to be adduced.

(Thereupon, the chairman, after having expressed thanks and acknowledgments on behalf of the committee and staff for aid received during the investigation, concluded the hearing.)



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